

FEDERAL REGISTER



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Regulations

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

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PART 1010—SUSPENSION ORDERS

[Suspension Order S-723]

AMLING'S OF CALIFORNIA, INC.

Amling's of California, Inc., is a corporation engaged as a wholesaler in the shipment of California flowers and floral items largely to dealers outside of California, but to some dealers also within the State, using corrugated box containers in such shipments. In July, 1943, the corporation opened and still maintains a Los Angeles branch. Since the "quotas" under Limitation Order L-317 are based on usage in 1942 there is no quota for the Los Angeles Branch. During the first and second quarters of 1944, the corporation used corrugated box containers in shipments from its Los Angeles Branch of flowers and floral items having an approximate weight of 18,921 pounds and containing approximately 156,126 square feet. A portion of these corrugated containers were second-hand and giving credit therefor the violations of Limitation Order L-317 amounted to approximately 17,011 pounds and approximately 140,495 square feet. The responsible officers of the corporation were negligent in not consulting the War Production Board to ascertain the application of the terms of Limitation Order L-317 to its business, particularly in opening its Los Angeles Branch without a clear definition of its position in doing so.

These violations of Limitation Order L-317 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.723 *Suspension Order No. S-723.* (a) During the four calendar quarters of 1945, Amling's of California,

Inc., its successors or assigns, shall reduce its acceptance and use of new fibre shipping containers under the provisions of Limitation Order L-317 (as applicable to its then operations, and as amended from time to time) so that its "footage quota" is reduced by the total amount of 100,000 square feet which shall be allocated so as to be not less than 20,000 square feet reduction in any one calendar quarter, and so that its "tonnage quota" is reduced by the total amount of 11,000 pounds which shall be allocated so as to be not less than 2,000 pounds in any one calendar quarter, otherwise the amounts of such reductions being distributed among the four calendar quarters as the corporation may see fit.

(b) Nothing contained in this order shall be deemed to relieve Amling's of California, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

Issued this 19th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-2786; Filed, Feb. 19, 1945;
4:10 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-700]

HERRMAN LUMBER CO.

Jesse Herrman and Carrie M. Herrman, co-partners doing business as Herrman Lumber Company, are engaged in the retail sale of lumber, building supplies, plumbing and heating equipment. Their principal place of business is Springfield, Missouri, and they operate yards and stores at Springfield, Missouri, Joplin, Missouri, and Fort Scott, Kansas. During the period from January 1, 1943, to December 31, 1943, they sold new plumbing equipment, including 22 hot water heaters having a value of approximately \$3,500, on orders that bore no preference ratings or certifications in violation of Limitation Order L-79; on

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NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

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April 28, 1944 and June 3, 1944, they sold approximately 3,000 board feet of yellow pine lumber on orders which bore no preference ratings in violation of Conservation Order M-208. Between April 28, 1944, and June 15, 1944, they sold lumber and building materials having a value of approximately \$1,500 when they knew or had reason to believe that such materials were to be used in construction not permitted by the War Production Board, in violation of Conservation Order L-41. Jesse Herrman, the respon-

sible partner of the Herrman Lumber Company was familiar with the provisions of Limitation Order L-79, Conservation Order M-208 and Conservation Order L-41, and his actions constituted wilful violations thereof.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.700 *Suspension Order No. S-700.* (a) Jesse Herrman and Carrie M. Herrman shall not for four months from the effective date of this order apply or extend preference ratings regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Jesse Herrman and Carrie M. Herrman shall cancel immediately all preference ratings which they have applied or extended to orders which have not yet been filled except that if they have extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) they need not cancel the rating provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings presently outstanding in connection with orders for delivery of materials to Jesse Herrman or Carrie M. Herrman or placed prior to the termination date of this order are void and shall not be given any effect by suppliers of Jesse Herrman or Carrie M. Herrman or by any other person. This does not apply to material already delivered or in transit for delivery to them on the effective date of this order.

(d) Jesse Herrman and Carrie M. Herrman shall not for four months from the effective date of this order receive or accept delivery of any hot water heaters as defined on List A of Order L-79 as amended from time to time. This shall not apply to hot water heaters now in transit for delivery to them.

(e) The restrictions and prohibitions contained herein shall apply to Jesse Herrman and Carrie M. Herrman doing business as Herrman Lumber Company or under any other name, their and its successors or assigns or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) Nothing contained in this order shall be deemed to relieve Jesse Herrman or Carrie M. Herrman, doing business as Herrman Lumber Company or otherwise, their and its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(g) This order shall take effect on February 20, 1945.

Issued this 10th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-2801; Filed, Feb. 20, 1945; 11:26 a. m.]

PART 3175—REGULATIONS APPLICABLE TO
THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Direction 22]

CAN MANUFACTURERS IN THE PACIFIC COAST
AREA

§ 3175.122 *Inventory Direction No. 22.* Pursuant to paragraph (b) (2) of CMP Regulation 2, *It is hereby ordered, That:*

During the period from March 31, 1945 through September 30, 1945, the provisions of paragraph (b) (1) of CMP Regulation 2 shall not apply to the acceptance of deliveries in the States of Washington, Oregon, California and Utah, of tinplate for the manufacture of cans. In lieu thereof, from March 31, 1945 until September 30, 1945, no user of controlled material shall accept delivery in such States of any item of tinplate for the manufacture of cans if its inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item it will be required by current practices to put into use during the succeeding 90-day period in order to carry out its authorized operations. After September 30, 1945, this inventory direction shall cease to be of any effect and the provisions of paragraph (b) (1) of CMP Regulation 2 shall apply.

Issued this 20th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-2806; Filed, Feb. 20, 1945;
11:26 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[Conservation Order M-217, as Amended
Feb. 20, 1945]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M-217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M-328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M-328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed

to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running at a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) [Deleted Nov. 9, 1944.]

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944.]

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers,
Athletic,
Men's safety shoes, and
Women's safety shoes.

to the extent that such type of footwear is manufactured for sale by the manufacturer in the same price range; *Provided, That:*

(i) Footwear of identical kind and quality sold to different types of purchasers at different prices during the base period may be deemed one line, but only where the highest price for such footwear to any purchaser is not more than 15% above the lowest price for which this footwear is sold to another purchaser. Nothing in this order shall be deemed to permit the addition of 10% or 25¢ a pair to a line determined in accordance with this paragraph.

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to the net wholesale prices shown on the following schedule, each type of footwear listed may be deemed one line:

Type:	Maximum net wholesale price per pair
Misses' and children's.....	61.75
Youths' and boys' (without leather).....	1.00
Youths' and boys' (utilizing leather).....	2.00
Women's and growing girls' (including safety) (without leather).....	1.00

Type—Continued.

Type—Continued.	Maximum net wholesale price per pair
Women's and growing girls' (including safety) (utilizing leather).....	\$2.00
Men's work, dress and safety (with- out leather).....	1.00
Men's work, dress and safety (utiliz- ing leather).....	2.50
House slippers (with or without leather).....	1.00

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater, and that no range may overlap any other range.

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period, as set forth on his base period report.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard)

(18) [Deleted Aug. 26, 1944.]

(19) [Deleted Aug. 26, 1944.]

(c) *Curtailment in the use of materials and colors in the manufacture of footwear* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over $\frac{1}{2}$ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls' misses' youths' little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made in whole or in part of leather (excluding scrap)

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) [Deleted Aug. 26, 1944.]

(xiii) [Deleted Aug. 26, 1944.]

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back)

(xv) [Deleted Aug. 26, 1944.]

(xvi) [Deleted Aug. 26, 1944.]

(xvii) [Deleted Aug. 26, 1944.]

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(d) Design stitching on utility work cowboy boots.

(xix) Any leather lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) [Deleted Aug. 26, 1944.]

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) [Deleted Aug. 26, 1944.]

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) [Deleted Aug. 26, 1944.]

(xxvii) [Deleted Aug. 26, 1944.]

(xxviii) [Deleted Aug. 26, 1944.]

(xxix) Rawhide or other leather laces, except on work shoes.

(xxx) Leather or part leather loops performing the function of eyelets.

(2) [Deleted Aug. 26, 1944.]

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: *Provided, however* That upon letter application the War Production Board may permit any person to make boots higher than ten inches for use in specified hazardous occupations.

(4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics) This restriction shall not apply to the color of bows, metal findings, eyelets, stitching, lacing, bindings, linings, soles, safety shoes or shearing collars; nor shall it apply to footwear using no leather for outsoles, midsoles or taps. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptile leather having slight variations in shade caused by normal finishing of such leathers, or

(ii) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings.)

(5) [Deleted Aug. 26, 1944.]

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf) including upper leather splits, gauging $4\frac{1}{2}$ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall, in the manufacture of house slippers or romeos, put into process for uppers any cattle hide leather (including splits) or goatskin or kidskin leather (including India-tanned goatskin or kidskin) or put into process for outsoles any cattle hide grain leather other than heads, bellies, shins, and shanks of 5 iron or less. However, the provisions of this paragraph restricting the use of goatskin or kidskin leather shall not take effect until April 4, 1945.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam moccasin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however* That nothing in this subparagraph (c) (8) shall apply to footwear utilizing no leather except for split soles $2\frac{1}{2}$ ounces or under or to women's and

girls' shoes with heels $1\frac{1}{8}$ inches and over in height, using size 4B as the standard.

(9) [Deleted Aug. 26, 1944.]

(10) [Deleted Aug. 26, 1944.]

(11) No person shall manufacture any leather or part leather bows for use on footwear, except out of scrap.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants' (excluding sizes 0 to 4 inclusive) misses' and children's shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6) men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e-1) below. This provision does not apply to repair.

(13) With respect to:

(i) Footwear especially designed for the physically maimed and deformed;

(ii) Misses' and children's (excluding all little gents' and all sizes over size 3), and

(iii) Infants' (excluding sizes 0 to 4, inclusive) no person shall utilize any upper leather or lining leather set aside by tanners for such footwear pursuant to Conservation Order M-310 or directions issued thereunder except in the manufacture of one of those types of footwear."

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942, except that:

(i) In the case of footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other non-skid or soundproofing features covering not more than 25% of the area of the bottom of the sole) designs and constructions utilized between September 1, 1940 and October 18, 1943 may be used:

(ii) Nothing in this paragraph shall prevent the correction of patterns to the extent necessary to remove features prohibited by this order, the use of new bows (provided they are not an integral part of the upper) or the use of new designs, lasts and patterns which can be introduced without requiring additional employment.

(iii) The War Production Board may make exceptions in this paragraph in favor of patterns or designs which will conserve leather or other materials.

(iv) This paragraph shall not apply to new or additional production which has been authorized pursuant to paragraphs (i) (3) (v) and (i) (3) (vi)

(2) [Deleted Aug. 26, 1944.]

(3) [Deleted Aug. 26, 1944.]

(4) No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions

and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather except for leather top lifts if used. This exemption shall extend only to paragraph (c)

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4.

(6) Footwear made wholly or primarily of shearlings provided no other leather is used in their manufacture.

(e-1) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply with the safety features as to safety toe box, electric conductivity, electrical properties, non-sparking and moulders protection in the American War Standards Specifications for protective occupational footwear, men's safety shoes and women's safety shoes, Z41.1 to Z41.9 inclusive, 1944. Only those parts of the specifications relating specifically and solely to the safety features listed above and to the test requirements shall be applicable.

Upon letter application the War Production Board may authorize deviations from the above-mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) [Deleted Aug. 26, 1944.]

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear, or to footwear made as trials or pullovers but not sold.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker, or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between cus-

tomers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for nonmilitary use shall not constitute a discriminatory cut.

(5) With respect to:

(i) Footwear especially designed for the physically maimed and deformed;

(ii) Misses' and children's (excluding all little gents' and all sizes over size 3) and

(iii) Infants' (excluding sizes 0 to 4, inclusive)

no manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners for such footwear pursuant to Conservation Order M-310 or directions issued thereunder if his supply of leather suitable for such footwear and obtained on certificate pursuant to such direction shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following-thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning March 1, 1943 complete the manufacture of more civilian footwear within any line than the percentage of his civilian line quota for such line shown on the following schedule:

Each line of youths' and boys' shoes.....	125
Each line of men's safety shoes.....	125
Each line of men's work shoes.....	116
Each line of men's dress shoes.....	100
Each line of women's and growing girls' shoes.....	100
Each line of house slippers.....	100
Each line of athletic shoes.....	100
Each line of women's safety shoes.....	100

With respect to (i) infants' footwear and (ii) misses' and children's footwear, no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of infants' footwear, and no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of misses' and children's footwear, but his production within each of these two types of footwear may be distributed among his established lines in any manner desired, except that the production in any line consisting of less than 50 pairs or 2% of the total production of that type of footwear (whichever is greater) during the base period may not be increased by more than 25%.

Provided, however That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period,

each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase."

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs (i) (1) and (i) (2).* (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

To the extent shown in the following schedule, any person may transfer the unused portion of any civilian line quota or quotas of men's dress or women's and growing girls' footwear to the production of the following types of footwear:

Type:	Percentage of unused quota permitted to
Men's work.....	115
Youths' and boys'.....	125
Misses' and children's.....	125
Infants'.....	125

Provided, however That in no event shall any unused quota be added to a higher priced line, *And provided further*, That in no event shall a new line be added until authorization has been obtained under paragraphs (d) (1) above and paragraphs (i) (3) (vi) below.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than \$250,000 (based on wholesale value) is not subject to paragraph (i) (1) provided that no new higher priced lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to manufacturers affiliated, as a subsidiary or otherwise with another. This paragraph shall not authorize any manufacturer to increase his production by more than 50% in any line consisting of less than 50 pairs or 2% of his total production of that type of footwear (whichever is greater) during the base period. For the purpose of all computations under this exemption, footwear of the types and prices shown in the schedule in paragraph (i) (3) (v) shall be included.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear for the physically maimed or deformed on a custom-made basis and not for stock, to wood sole clogs utilizing no leather, or to footwear shown on the following schedule if manufactured for sale at or below the net wholesale prices shown opposite on said schedule and if their production will not require additional employment:

NOTE: Last 5 items deleted from list Feb. 20, 1945.

Type:	Maximum net wholesale price per pair
Infants' sizes 0 to 4 (made without leather)-----	\$0.75
Infants' sizes 4½ to 8 (with or without leather)-----	1.35
Misses' and children's (with or without leather)-----	1.75
Youths' and boys' (without leather)-----	1.90
Youths' and boys' (utilizing leather)-----	2.00

Note: For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

However, any person wishing to take advantage of the exemption shown on the foregoing schedule shall advise the War Production Board by letter of the types of shoes to be made, the materials to be used, the price ranges, and his estimated six months' production. No such person shall begin manufacturing under this exemption until this report has been acknowledged by the War Production Board.

Where increased employment is necessary in connection with the proposed production of footwear on the foregoing schedule, an application must be filed as provided in paragraph (i) (3) (vi) below. Persons making women's and growing girls' men's work, dress and safety shoes and house slippers who have filed letters of intention to take advantage of the exemption applying to these types of shoes prior to February 20, 1945, are permitted to take advantage of this exemption only if their notice of intent was acknowledged by the War Production Board prior to March 7, 1945.

(vi) The War Production Board may authorize transfers of quotas from one type of footwear to another and new or additional production in each type. It will in general be the policy of the War Production Board to authorize new or additional production in lines of which there is a critical civilian shortage or lines of reasonably durable footwear where such production will not require materials, components, facilities or labor needed for war purposes, and will not otherwise adversely affect or interfere with production for war purposes. Authorization will not be dependent upon the applicant's having been engaged in the production of shoes during the base period.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. All applications shall be accompanied by original and two copies of Form WPB-3820 filled in to the end of section I. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of

conformity with applicable Office of Price Administration regulations.

Production in new price lines, or increased production in established lines, may be granted by the War Production Board to cover production of civilian footwear purchased by or on behalf of United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes.

(vii) Manufacturers qualifying for an increase in price on footwear with non-marking synthetic rubber soles, or soles and heels, under Order No. 13 under § 1499.3 (e) (3) of General Maximum Price Regulations, issued by the Office of Price Administration, may disregard such increase for the purposes of this paragraph (i). However, where the increase results in production of shoes in a higher price line, the number of pairs so produced shall be reported separately on the manufacturer's production report at the actual price, as indicated in the revised directions to said form.

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order. Manufacturers whose base period reports containing overlapping price ranges have been filed and accepted prior to June 27, 1944, may continue to use the ranges now on file only until September 1, 1944.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 944.15 of Priorities Regulation 1.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 20th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A: Superseded Nov. 9, 1944.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. \pm 2° F. and reconditioning at 65 per cent \pm 2 per cent relative humidity and 120° F. \pm 2° F. when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. \pm 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. \pm 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather-outsoles or outside leather taps," in paragraph (c) (8) of § 3290.191 Conservation Order M-217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly, a wooden sole having a leather heel insert to provide nonskid and sound-proofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 3: Revoked August 26, 1944.

INTERPRETATION 4

DEFINITIONS

The definition of "price range" in paragraph (b) (11), of Conservation Order M-217 states that price range shall have the usual trade significance so long as the highest list price in the range does not exceed the

lowest by more than 10% or 25¢ a pair, whichever is the greater. The January 12, 1944 amendment in paragraph (b) (10) (iii) of the order allows manufacturers of misses' and children's and youths' and boys' footwear to consider their production in each type up to a wholesale price of \$1.75 a pair as one line. This does not, however, permit manufacturers to add 25¢ to the \$1.75 and consider all misses' and children's and youths' and boys' footwear up to \$2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than \$1.75. (Issued Feb. 28, 1944.)

INTERPRETATION 5

SHOES MANUFACTURED FOR DYEING BY RETAILERS OR CONSUMERS

Paragraph (c) (4) restricts the manufacture of footwear of more than one color. Where a manufacturer produces a line of footwear designed especially for taking dye on the tip, foxing, saddle or other portions, so that it can be converted into a two-tone shoe (such as a spectator or saddle oxford type), and he has reason to believe that it will be converted by retailers or consumers, he is putting material into process for the manufacture of footwear of more than one color. This is prohibited by the paragraph. (Issued Apr. 26, 1944.)

INTERPRETATION 6: Superseded Nov. 9, 1944.

INTERPRETATION 7: Superseded Nov. 9, 1944.

[F. R. Doc. 45-2804; Filed, Feb. 20, 1945; 11:26 a. m.]

PART 3291—CONSUMERS' DURABLE GOODS
[Limitation Order L-323, as Amended Feb. 20, 1945]

DISTRIBUTION OF IMPORTED WATCHES

§ 3291.206 Limitation Order L-323—

(a) *Imported watches frozen.* No importer shall sell, transfer, or deliver any watch or any watch movement, either in a case or out of it, of any wrist chronograph or stop watch, which has been released from customs after January 1st, 1943, unless he receives specific permission from the War Production Board or unless the movement is one of those excluded by paragraph (b) below.

(b) *Certain movements not covered.* This order does not apply to the following movements or watches containing them:

- (1) Pin lever.
- (2) Cylinder.
- (3) Roskopf.
- (4) Lever type smaller than 63/4 Ligne.

(c) *How to get permission.* An importer who wants to get permission for any transfer of a watch, a watch movement, a wrist chronograph, or a stop watch, shall file Form WFPB-3524 with the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref. L-323, according to the instructions accompanying that Form.

(d) *How permission is granted.* The War Production Board will acknowledge in writing each application. Within 60 days of the date of the acknowledgment, the War Production Board will instruct each applicant what distribution may be made. If on the 60th day from date of acknowledgment no instructions have

been received by the applicant, he may then assume that his application has been granted, and no further permission is required.

(e) *What is meant by "importer."* For the purposes of this order an "importer" means any person who has a symbol or an identifying mark recorded with the Bureau of Customs, U. S. Treasury Department, for the purpose of importing watches or watch movements, or any other person who in the course of his business, either directly or through an agent, brings watches or watch movements through customs into the United States, its territories and possessions.

(f) *Security transactions exempted.* The prohibitions in paragraph (a) do not apply to transfer of title in a watch or watch movement in order to secure an indebtedness but this does not permit the transfer of physical possession for such purposes.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-323.

Issued this 20th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-2805; Filed, Feb. 20, 1945; 11:27 a. m.]

PART 4500—POWER, WATER, GAS AND
CENTRAL STEAM HEAT

[Utilities Order U-7, as Amended Feb. 20, 1945]

NATURAL GAS

Whereas, increased gas requirements for war production and civilian uses, coupled with scarcity of materials for the construction of pipelines and other facilities, have resulted in shortages of natural gas in certain areas of the United States and are threatened in others; during periods of adverse weather conditions the demand for natural gas in almost all areas increases beyond the capacity of existing facilities to meet such demands; and the following order is deemed necessary to conserve existing reserves of natural gas and to safeguard deliveries to

war industries and essential civilian services, and in other respects is necessary and appropriate in the public interest and to promote the war effort:

§ 4500.10 Utilities Order U-7—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Natural gas" means any combustible natural gas or gases and fuel gas derivatives of natural gases, fuel gas derivatives of petroleum produced as by-products in the production, refining or processing of petroleum, or mixtures of any of the aforesaid gases with blue gas, carburetted water gas, coke oven gas, producer gas, blast furnace gas, oil gas, or any other manufactured gas; but does not include liquefied petroleum gas in the liquid phase.

(3) "Utility" means any person supplying natural gas for general use by the public.

(4) "Non-utility supplier" means any person supplying or capable of supplying natural gas or who owns or operates natural or manufactured gas production, transmission, or distribution facilities and who is not included in the definition of "utility" in paragraph (a) (3). *Provided,* That no person engaged in the production, refining or processing of petroleum or natural gas shall be considered a non-utility supplier, except as to the use or disposition of natural gas as a combustible fuel gas after completion of such production, refining or processing.

(5) "Consumer" means any ultimate user of gas produced, transmitted or distributed by any "utility" or "non-utility supplier" including any utility or non-utility supplier which is itself an ultimate user of gas.

(6) "Stand-by facilities" means equipment capable of utilizing electrical energy, oil, coal or any other fuel or energy to replace natural gas and for the operation of which a supply of such fuel or energy is obtainable or could have been obtained in the exercise of reasonable diligence.

(7) "Premises" means any building or structure and its adjuncts: *Provided,* That in the case of "consumer" who receive deliveries of gas for the operation of equipment not contained within a building, any delivery point and the confines of the area supplied with natural gas from such delivery point shall be deemed a "premises"

(8) "Residential consumer" means any "consumer" receiving natural gas for the operation of space heating, hot water heating, cooking or refrigeration equipment used for residential purposes, where the total input capacity of the space heating equipment does not exceed 250,000 B. T. U. per hour.

(9) "Non-residential consumer" means any "consumer" other than a residential consumer as defined in (a) (8)

(b) *Integration of gas system operations.* (1) Each utility or non-utility supplier shall, as far as practicable, so operate and maintain its transmission,

storage, distribution and gas manufacturing facilities as to achieve maximum deliverability of natural gas in any area or areas in which a shortage exists or is imminent and to conserve existing gas reserves; and no utility or non-utility supplier shall abandon any such facilities except upon specific authorization of the War Production Board. Where necessary for such purposes, the War Production Board may, from time to time, issue specific directions as to the operation of gas manufacturing, transmission, storage and distribution facilities.

(2) Each utility or non-utility supplier shall maintain in operating condition all gas manufacturing facilities owned or operated by such utility or non-utility supplier which were in operating condition on November 12, 1942. Each utility or non-utility supplier shall repair and maintain in operating condition such other facilities including gas manufacturing facilities owned or operated by such utility or non-utility supplier as the War Production Board may, from time to time, direct. Wherever repair and maintenance of gas facilities requires the use of materials in excess of those available under any order issued by the War Production Board, application for authority to use or acquire such materials should be made to the War Production Board in accordance with established procedures.

(3) The War Production Board may, from time to time, issue specific directions respecting the delivery of natural gas from one utility or non-utility supplier to another or to any consumer, and respecting the interconnection of any facilities; and no utility or non-utility supplier shall deliver or accept or fail to deliver or accept deliveries of gas or fail to interconnect facilities in violation of any such direction. Subject to such directions and to the provisions of paragraph (b) (5), each utility or non-utility supplier shall so interchange natural gas with its interconnected utilities or non-utility suppliers as to achieve, directly or indirectly, the maximum deliverability in any area or areas in which a shortage exists or is imminent.

(4) Upon specific direction of the War Production Board, utilities or non-utility suppliers shall curtail gas deliveries to specified classes of consumers on their systems if necessary in order to make available gas for delivery to utilities or non-utility suppliers on whose systems there exists a shortage which adversely affects or threatens service to war production another utility or non-utility supplier. Any utility or non-utility supplier may request the War Production Board to direct another utility or non-utility supplier to deliver gas to it, on the ground that such delivery will safeguard service to war producers or essential consumers, or will otherwise be in the interest of the war effort.

(5) No utility shall deliver natural gas to any other utility or non-utility supplier not theretofore regularly supplied by such utility (except emergency deliveries to relieve a shortage resulting from the failure or breakdown of gas production, transmission or distribution facilities), without specific approval of the

War Production Board. Any utility making such emergency deliveries shall report directly to the War Production Board, Office of War Utilities, Natural Gas Division, Ref. U-7, the nature of the emergency and the amount and duration of such deliveries.

(6) Each non-utility supplier in any area served by any utility with which such non-utility supplier is interconnected or is capable of being interconnected, shall upon notice from the War Production Board so order its operations as to make available to such utility, or to any essential war producer or other consumer, all natural or manufactured gas which it is capable of producing or supplying in excess of the minimum requirements of its own essential operations. Any non-utility supplier which on October 1, 1943 was supplying natural gas to a utility in an area in which a shortage exists or is imminent shall not discontinue deliveries to such utility without the approval of the War Production Board, unless it is no longer capable of making such deliveries, or pursuant to the provisions of paragraph (c) (1).

(c) Operations during gas shortages.

(1) In the event of an existing or imminent gas shortage in any area, each utility or non-utility supplier supplying such area shall conduct its operations and reduce deliveries to non-residential consumers in accordance with the following schedule, subject to such further or special directions as the War Production Board may from time to time issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage such utility or non-utility supplier may, in the first instance, reduce deliveries without regard to such schedule, but shall, as soon as possible thereafter, readjust its operations and deliveries to conform in all respects to such schedule during the continuance of the gas shortage period. The utility or non-utility supplier shall:

(i) First, within the limit of contractual rights, reduce deliveries to all consumers purchasing natural gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas to exempted consumers, as defined in paragraph (c) (6) shall be reduced only to the extent that the fuel requirements of such consumers can be supplied from the consumers' stand-by facilities: *And provided*, That deliveries shall be maintained to any consumer to the minimum extent necessary to prevent permanent damage to facilities or equipment, except that pursuant to the curtailment requirement in paragraph (c) (1) (v) below, such deliveries shall be interrupted.

(ii) Second, if such action has not previously been taken, operate utility's or non-utility supplier's stand-by gas manufacturing facilities up to their maximum operating capacity: *Provided*, That any utility may request the War Production Board to direct the operation of specific consumer stand-by facilities. (in addition to those provided above) prior to the operation of such utility's stand-by manufacturing facilities, upon the ground that such action would relieve

the gas shortage more expeditiously, or with less use of critical fuels, or would otherwise be in the interest of the war effort.

(iii) Third, reduce deliveries without regard to the supplier's contractual rights or those of any consumer to all remaining consumers having stand-by facilities, to the extent of the capacity of stand-by facilities.

(iv) Fourth, if such action has not previously been taken, notify all domestic and other consumers by radio, newspaper, or any other available means of general communication, that a temporary gas emergency in the area exists or is imminent and appeal for the immediate institution of voluntary curtailment by all gas consumers, to be maintained until notification that the emergency has passed.

(v) Fifth, interrupt deliveries within the limits of contractual rights to any consumers purchasing gas under contracts permitting the supplier to interrupt deliveries, who have not been fully curtailed under previous steps: *Provided*, That deliveries of gas to exempted consumers shall be reduced only to the extent that the full requirements of such consumers can be supplied from the consumers' stand-by facilities.

(vi) Sixth, reduce deliveries to all consumers not fully curtailed under previous steps, without regard to the supplier's contractual rights or those of any consumer or the non-existence of stand-by facilities: *Provided*, That deliveries of gas to exempted consumers shall be reduced only to the extent that the full requirements of such consumers can be supplied from the consumers' stand-by facilities.

(vii) Seventh, reduce deliveries to exempted consumers on a uniform proportionate basis so far as practicable pending receipt of special directions from the War Production Board.

(2) A "gas shortage" shall be deemed to exist whenever (i) a utility or non-utility supplier finds it necessary to reduce deliveries to its consumers, or (ii) the utility or non-utility supplier is able to maintain full deliveries to all consumers only by excessive withdrawals from storage or reserves which impair its ability to meet its forthcoming peak-day requirements to the usual extent, or (iii) the War Production Board notifies a utility or non-utility supplier that it considers a shortage to exist on such system.

(3) Deliveries to residential consumers during gas shortages shall be made pursuant to such directions as the War Production Board may from time to time issue: *Provided*, That any utility may at any time submit to the War Production Board a practicable program for the curtailment of its domestic consumers during such gas shortages and request that it be declared operative by the War Production Board among consumers of such utility.

(4) Except as set forth in the proviso of the first paragraph of paragraph (c) (1) or pursuant to special directions of the War Production Board, deliveries to any consumer in the respective groups defined above in paragraphs (c) (1) (i) to (c) (1) (vii) inclusive, shall not be

reduced until deliveries to all consumers in prior groups have been fully suspended in accordance with the specific provisions of such paragraph: *Provided*, That deliveries to consumers in any group who consume less than 3000 mcf of gas per month need not be suspended before commencing curtailment of successive groups where such consumers are scattered or for other reasons not susceptible of speedy curtailment. Reductions to consumers defined in paragraph (c) (1) (i) shall be on such basis as will relieve the shortage most expeditiously. Reduction to consumers within all groups defined in paragraph (c) (1) (iii) to (c) (1) (vii) inclusive shall so far as practicable be made on a uniform proportionate basis: *Provided*, That any utility or non-utility supplier may request the War Production Board to approve a specific program for such interruptions within any class of consumers, on a geographic or other basis which will relieve gas shortages more expeditiously.

(5) Each utility or non-utility supplier shall classify each of its non-residential consumers subject to probable curtailment within the applicable grouping set forth in paragraphs (c) (1) (i) to (c) (1) (vi) inclusive. Certain utility or non-utility suppliers will be required by the War Production Board to submit such a classification of non-residential consumers using 3000 MCF or more per month on Form WPB-619, together with the other data relative to operations during shortages required by such form. Only the War Production Board can classify consumers as 'exempted consumers' Unless modified or revised by direction of the War Production Board, such consumer classification lists submitted on Form WPB-619 shall determine the grouping of each consumer in the application of the curtailment schedule set forth in paragraph (c) (1). At the direction of the war Production Board specific consumers or classes of consumers may at any time be classified in any of the groups defined in paragraphs (c) (1) (i) to (c) (1) (vii), inclusive, or in any special group, without regard to size, nature, or terms of delivery, whenever such action will assist in relieving gas shortage more expeditiously, or with less use of critical fuels, or in other respects will be in the interest of the war effort.

(6) An "exempted consumer" means a non-residential consumer whose operations have been determined by the War Production Board to be so important that an interruption of gas deliveries would seriously impair the war effort. The War Production Board will from time to time provide each supplier with a list of the exempted consumers on its system.

(7) Whenever, pursuant to any of the provisions of this order, or any special direction of the War Production Board, a utility or non-utility supplier is required to reduce deliveries to any consumer, it shall notify such consumer accordingly. Upon receipt of such notification each consumer shall reduce his acceptance of gas deliveries in accordance therewith.

(8) Notwithstanding any provisions of this order, if the War Production Board, after investigation, shall determine that any consumer having stand-by facilities, has failed to provide himself with an adequate supply of fuel for the operation of such stand-by facilities despite the availability of such fuel, the War Production Board may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such stand-by facilities.

(9) The following reports shall be filed with the War Production Board relative to gas shortages:

(i) Whenever any utility or non-utility supplier reduces deliveries of gas to any consumer pursuant to paragraphs (c) (1) (vi) or (vii) above, or pursuant to special directions from the War Production Board, such utility or non-utility supplier shall immediately notify the Gas Division, Office of War Utilities, War Production Board, Ref. U-7, by telegram of the extent of such reduction of deliveries. In the case of any utility or non-utility supplier distributing gas to end users, this notice of the extent of reduction of gas deliveries shall also be given by telephone to the nearest District or Regional Office of the War Production Board.

(ii) Whenever, after reducing deliveries of gas to any consumer pursuant to paragraphs (c) (1) (vi) or (vii) above, or pursuant to special directions from the War Production Board, a utility or non-utility supplier restores deliveries of gas to any consumer, such utility or non-utility supplier shall immediately notify the Gas Division, Office of War Utilities, War Production Board, Ref. U-7, by telegram of the extent to which gas deliveries are restored. In the case of any utility or non-utility supplier distributing gas to end users, this notice of deliveries of gas restored shall also be given by telephone to the nearest District or Regional Office of the War Production Board.

NOTE: Subdivisions (iii) and (iv) formerly (ii) and (iii) redesignated Feb. 20, 1945.

(iii) On or before the 15th day of each month following a calendar month during which reductions in delivery have occurred, each affected utility or non-utility supplier shall submit a report on Form WPB-620 of the aggregate volumes of natural gas conserved by such reductions in delivery and the volumes of natural gas replaced by consumer stand-by facilities and by utility or non-utility supplier gas manufacturing stand-by facilities.

(iv) On or before the 15th day of each month, each utility or non-utility supplier in certain areas specifically designated by the War Production Board shall submit on Form WPB-2077 a report of natural gas underground stor-

age operations, summarizing such operations for the calendar month preceding the date of reporting.

(d) *Restrictions on deliveries of natural gas to non-residential consumers.* (1) No utility or non-utility supplier shall deliver natural gas to any non-residential consumer for the operation of any gas-fired equipment (including space heating equipment) and no non-residential consumer shall accept such deliveries, in any area listed on Exhibit B or Exhibit C, except in cases described in paragraphs (d) (2) or (d) (3) below, or unless:

(i) Such equipment was installed and in regular operation at the same premises prior to November 30, 1942: *Provided*, Deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L-31, or

(ii) Such equipment was converted from some other fuel to natural gas, and such conversion was completed and in regular operation at the same premises prior to November 30, 1942: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L-31, or

(iii) Such equipment replaces gas-fired equipment of equal or greater capacity previously installed and regularly operated at the same premises for the same purposes: *Provided*, That non-space heating equipment is not replaced with space heating equipment, or

(iv) Such deliveries have been specifically approved by the War Production Board: *Provided*, That deliveries of natural gas may be made where necessary for the operation of oil well or gas well drilling equipment.

(2) In any area listed on Exhibit B, a utility or non-utility supplier may deliver and any non-residential consumer may accept deliveries of natural gas for the operation of any gas-fired equipment when all of the following conditions are met:

(i) The aggregate input capacity of such equipment plus the aggregate input capacity of all other gas-fired equipment installed on the premises of the consumer since March 1, 1942 is less than 500,000 Btu per hour;

(ii) Such equipment is not used primarily for space heating purposes;

(iii) Such equipment cannot, for technological reasons, utilize fuel other than natural gas or liquefied petroleum gases;

(iv) Such equipment does not replace, and is not intended to replace, equipment utilizing fuels other than natural gas;

(v) Such equipment has not been converted from some other fuel to natural gas unless such conversion was completed prior to November 1, 1943, at the same premises and deliveries of natural gas for the operation thereof were not prohibited prior to that date.

(3) In any area listed on Exhibit C, a utility or non-utility supplier may deliver and any non-residential consumer may accept deliveries of natural gas for the operation of any gas-fired equipment when all of the following conditions are met:

(i) The aggregate input capacity of such equipment plus the aggregate input

capacity of all other gas-fired equipment installed on the premises of the consumer since March 1, 1942 is less than 1,500,000 Btu per hour;

(ii) Such equipment is not used primarily for space heating purposes;

(iii) Such equipment does not replace, and is not intended to replace, equipment utilizing a fuel other than natural gas;

(iv) Such equipment has not been converted from some other fuel to natural gas unless such conversion was completed prior to November 1, 1943, at the same premises and deliveries of natural gas for the operation thereof were not prohibited prior to that date.

(4) The War Production Board may, by specific direction, establish monthly delivery quotas, limit increases in or require decreases of the monthly volume of natural gas which may be delivered to or accepted by any non-residential consumer in certain gas shortage areas, whenever it is determined that such action is necessary or appropriate; and upon the issuance of such directions no person shall make or accept deliveries which are not in conformance therewith.

(e) *Restrictions on deliveries of natural gas to residential consumers.* No utility or non-utility supplier shall deliver to any residential consumer, and no residential consumer shall accept delivery of natural gas for the operation of any space heating equipment, in any area listed on Exhibit B or Exhibit C unless:

(1) In any area listed on Exhibit B:

(i) Such equipment was installed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L-31, or

(ii) Such equipment was converted from some other fuel to natural gas, and such conversion was completed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L-31, or

(iii) In the case of new construction, such equipment was specified in the construction contract and was installed prior to March 1, 1943: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L-31, or

(iv) Such equipment replaces gas-fired equipment of equal or greater input capacity installed and regularly operated at the same premises, whether by the same or another consumer; or

(v) Such deliveries have been specifically approved by the War Production Board.

(2) In any area listed on Exhibit C, any of the five conditions set forth in (e) (1) above exists, or the utility, after investigation, certifies on the applicant's Form WPB-3314 that

(i) The equipment was installed in new residential premises whose foundation was completed after May 31, 1944; or

(ii) The existing heating equipment using a fuel other than natural gas has become worn out or unavoidably damaged beyond repair.

(3) In any area listed on Exhibit B or Exhibit C, the utility certifies that on the basis of information submitted by applicant on Form WPB-3314, the case falls into one of the following categories:

(i) Applications from persons transferring from one place of residence to another, who have owned gas-fired equipment which had been installed in the previous premises where its operation was permissible under Limitation Order L-31 or Utilities Order U-7: *Provided*, That the new premises in which the equipment is to be installed are piped for gas and are not presently equipped with other space-heating equipment capable of utilizing a fuel other than natural gas.

(ii) Applications from persons moving into residential premises not equipped with any space-heating equipment, and which can be heated only by gas-fired equipment either because the premises lack flues or fuel storage facilities necessary for the operation of space-heating equipment utilizing a fuel other than natural gas, or because such alternative equipment as would be practicable is not procurable in the locality.

(iii) Applications from persons moving into residential premises already piped for gas, whether or not such premises are equipped with other space-heating equipment, in cases where the applicant owns a room-size space heater having an input capacity not in excess of 25,000 BTU per hour, which the applicant had owned and operated in the previous premises and the operation of which was permitted under Limitation Order L-31 or Utilities Order U-7. (This category does not apply in the State of California.)

(iv) Applications from persons owning or leasing a structure which has been, or is being, converted into dwelling units which have no space-heating facilities and cannot be practicably heated with equipment using a fuel other than natural gas: *Provided*, That the total input capacity of the equipment covered by the application plus the capacity of all other gas-fired space-heating equipment supplying the residential portion of the premises, does not exceed 250,000 BTU per hour.

(4) In any area listed on Exhibit B or Exhibit C an application is filed by the consumer with the utility supplier on Form WPB-3314 and is supported by the following certifications to and by the utility:

(i) A certification by the physician in attendance that the household has no member or employee physically able, or able without injury to health, to tend coal-fired heating equipment; and

(ii) A certification by the applicant on the Form WPB-3314 application that the hardship claimed cannot be relieved by a partial conversion to gas or the installation of an auxiliary single-room gas-fired heater or circulator; and

(iii) A certification by the utility on the Form WPB-3314 application that the case has been investigated, that the facts alleged by the applicant are correct and that it is not possible to alleviate the hardship claimed by installing auxiliary heating equipment using a smaller quantity of gas.

(f) *Conversions and prohibited installations.* (1) No person shall install or cause to be installed gas-fired equipment designed to receive deliveries of natural gas from any utility if such deliveries are prohibited by paragraphs (d) or (e) of this order.

(2) If the War Production Board, after investigation, shall determine:

(i) That the gas-fired equipment owned or operated by any person can, without exceptional expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available and

(ii) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services, the War Production Board may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of natural gas for the operation of such gas-fired equipment.

(g) *Conservation for war needs.* (1) When the War Production Board by special direction prohibits or limits the use of natural gas for specific purposes in order to safeguard essential gas supplies in the interest of the war effort, no person shall use, deliver, or accept natural gas in violation of restrictions thus established.

(2) The War Production Board may, from time to time, reclassify any area with respect to Exhibit B or Exhibit C whenever such action is in the interest of the war effort.

(h) *Appeals and applications.* (1) Any person affected by this order, or any direction issued thereunder, who considers that compliance therewith or the operation thereof would work an exceptional and unreasonable hardship, or would in other respects be prejudicial, may appeal for relief by letter to the War Production Board.

(2) Any person who considers that any reduction in or prohibition of deliveries of natural gas made, or proposed to be made pursuant to any provision of this order, or any direction issued thereunder, interferes or will interfere materially with war production or essential civilian service, may apply to the War Production Board for relief by letter communication setting forth all relevant details.

(3) In areas listed on Exhibit B or Exhibit C, applications for new deliveries of gas under paragraphs (d) and (e) shall be filed with the utility or non-utility supplier on Form WPB-3314.

(i) New deliveries to non-residential consumers which are clearly permissible under the provisions of paragraph (d) may be made by the utility without referring the application to the pipe line supplier or the War Production Board, but such applications shall be kept in the utility's file with the action taken indicated under Item 15 for inspection by the War Production Board. All other applications for new non-residential deliveries not clearly permissible under the provisions of paragraph (d) must be referred to the pipe line supplier for transmittal to the War Production Board

after completion of Item 16 on Form WPB-3314.

(ii) New deliveries to residential consumers which are clearly permissible under the provisions of paragraph (e) may be made by the utility without referring the application to the pipe line supplier or the War Production Board but such applications shall be kept in the utility's file with the action taken indicated under Item 15 for inspection by the War Production Board. All other applications for new residential deliveries which are not clearly permissible under the provisions of paragraph (e) must be sent to the War Production Board for approval before deliveries can be made, but such applications need not be referred to the pipe line supplier for completion of Item 16 on Form WPB-3314.

(4) Any utility affected by this order which considers that the gas situation in its area warrants a change in classification with respect to Exhibits B and C may apply for such reclassification by a letter addressed to the War Production Board, Ref: U-7, stating the reasons therefor, including its system supply and demand data.

(i) *Reports and information.* (1) Each utility and non-utility supplier shall keep and preserve for not less than two years accurate and complete records concerning deliveries of natural gas to consumers or to other utilities or non-utility suppliers. Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(2) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Office of War Utilities, Washington 25, D. C. Ref. U-7.

(k) *Violations.* Any person who willfully violates any provision of this order or any direction issued hereunder, or who, in connection with such order or direction willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

Issued this 20th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[NOTE: Exhibit A revoked August 4, 1944.]

EXHIBIT B

New York.
New Jersey.
Pennsylvania.

Maryland.
Virginia.
District of Columbia.
West Virginia.
Kentucky.
Ohio.
Indiana.
Michigan.
Wisconsin.

Illinois (only the area supplied by the Natural Gas Pipe Line Co. of America in the following counties: Boone, Bureau, Cook, De Kalb, Du Page, Grundy, Henry, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, McHenry, Ogle, Whiteside, Will, Winnebago, and the area supplied by the Panhandle Eastern Pipe Line Co. in the following counties: Adams, Champaign, Christian, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Ewingham, Fulton, Greene, Knox, Lawrence, Logan, Macon, Macon, McLean, Morgan, Moultrie, Peoria, Platt, Pike, Richland, Sangamon, Scott, Shelby, Tazewell, Vermillion and McDonough).

Missouri (only the area supplied by the Panhandle Eastern Pipe Line Co.).

Wyoming (only the area supplied by the Mountain Fuel Supply Co.).

Utah.
California (only the area supplied by the San Diego Gas and Electric Co.).

EXHIBIT C

Arizona.

New Mexico (only the area supplied by the El Paso Natural Gas Co. in Hidalgo, Grant, Luna and Dona Ana Counties).

Colorado (only the area supplied by the Colorado Interstate Gas Co.).

Wyoming (only the area supplied by the Colorado Interstate Gas Co.).

Nebraska (only the area supplied by the Northern Natural Gas Co. and the Natural Gas Pipe Line Co. of America).

Iowa.

Minnesota.

Kansas (only the areas supplied in full or in part by one or more of the following companies: Cities Service Gas Co., Consolidated Gas Utilities Corp., Natural Gas Pipeline Co. of America, Northern Natural Gas Co., Panhandle Eastern Pipe Line Co., except the following counties: Finney, Grant, Haskell, Kearney, Morton, Seward, Stanton and Stevens).

Oklahoma (only the area supplied by the Cities Service Gas Co.).

Missouri (except the area supplied by the Panhandle Eastern Pipe Line Co.).

Arkansas (only the area supplied by the Mississippi River Fuel Corporation).

Illinois (except the area supplied by the Natural Gas Pipe Line Co. of America in the following counties: Boone, Bureau, Cook, De Kalb, Du Page, Grundy, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, McHenry, Ogle, Whiteside, Will, Winnebago and Henry, and the area supplied by the Panhandle Eastern Pipe Line Co. in the following counties: Adams, Champaign, Christian, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Ewingham, Fulton, Greene, Knox, Lawrence, Logan, Macon, Macon, McLean, Morgan, Moultrie, Peoria, Platt, Pike, Richland, Sangamon, Scott, Shelby, Tazewell, Vermillion and McDonough).

Tennessee.

Mississippi (only the area supplied by the Southern Natural Gas Co.).

Alabama (only the area supplied by the Southern Natural Gas Co.).

Georgia (only the area supplied by the Southern Natural Gas Co.).

California (except the area supplied by the San Diego Gas and Electric Co.).

South Dakota (only the area supplied by the Northern Natural Gas Co.)

[F. R. Doc. 45-2803; Filed, Feb. 20, 1945; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 12]

LARD AND SHORTENING IN PUERTO RICO

Preamble: All available data indicate that lard and shortening stocks on the Island have become very low, and that imports of said commodity cannot be increased correspondingly. The result is that our supplies of lard and shortening are not sufficient to meet the normal demand. Our limited supplies of lard and shortening for civilian distribution must be conserved until arrangements can be made for the orderly and equitable distribution thereof.

ARTICLE I—RESTRICTION ON TRANSFERS OF LARD AND SHORTENING

Sec.

- 1.1 Transfers of lard and shortening are prohibited.
- 1.2 Exceptions to the prohibition of transfers of lard and shortening.
- 1.3 Inventory reports by importers and wholesalers.

ARTICLE II—ENFORCEMENT

- 2.1 Criminal prosecution.
- 2.2 Suspension orders.

ARTICLE III—SCOPE OF ORDER

- 3.1 Territorial limitations.

ARTICLE IV—DEFINITIONS

- 4.1 Terms explained.

AUTHORITY: § 1407303 issued under 56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9257, 7 F.R. 7871; E.O. 9323, 8 F.R. 4631; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1-J, 7 F.R. 8731; WFO 56, 9 F.R. 4319; WFO 63, 9 F.R. 4319; 2nd. Rev. Gen. Order 20, 8 F.R. 16317.

ARTICLE I—RESTRICTION ON TRANSFERS OF LARD AND SHORTENING

SECTION 1.1 Transfers of lard and shortening are prohibited. During the period beginning at 7:00 a. m., on February 12, 1945, and ending at 6:00 p. m., on February 25, 1945, no person may transfer or offer to transfer, or accept the transfer of lard or shortening to or from any other person.

SEC. 1.2 Exceptions to the prohibition of transfers of lard, and shortening—(a) Exempt agencies. Nothing in this order shall be construed to limit the quantity of lard or shortening which may be transferred to the Army and Navy of the United States, United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development.

(b) The Director may make exceptions. The Director of the Office of Price Administration for Puerto Rico may make exceptions to this order.

(c) Applications for exceptions. Any person who desires an exception to this order must apply in writing to the Director of the Office of Price Administration for Puerto Rico, stating the reasons why he needs an exception.

SEC. 1.3 Every importer or wholesaler of lard or shortening must report his inventory as of February 10, 1945. Every

importer or wholesaler of lard or shortening must file with the Office of Price Administration at San Juan, Puerto Rico, on or before February 17, 1945 an inventory report as of the close of business on February 10, 1945 of his stocks of lard and shortening.

ARTICLE II—ENFORCEMENT

SEC. 2.1. *Criminal prosecutions.* Any person who wilfully performs any act prohibited or wilfully fails to perform any act required by any of the provisions of Restriction Order 12 may upon conviction be fined no more than \$10,000 or imprisoned for no more than one year, or both, and shall be subject to such other penalties or actions as may be prescribed by all applicable statutes.

SEC. 2.2 *Suspension order.* Any person who violates this order or any order issued hereunder may, by administrative suspension order, be prohibited from receiving or making any transfer of lard, shortening or any other rationed commodity. Proceedings for the suspension orders shall be instituted and governed by the provisions of Revised Procedural Regulation #4 of the Office of Price Administration.

ARTICLE III—SCOPE OF ORDER

SEC. 3.1 *Territorial limitations.* This order shall apply to the Territory of Puerto Rico.

ARTICLE IV—DEFINITIONS

SEC. 4.1 *Terms explained when used in this restriction order.* (a) "Director" means the Director of the Office of Price Administration for Puerto Rico, any person duly authorized to act in his place, or any person to whom he may delegate his authority to act hereunder.

(b) "Lard" means loose lard, prime steam lard, cash lard, rendered pork fat, refined rendered pork fat, base or standard commercial refined lard, special refined hardened lard, open kettle rendered lard, neutral lard, lard flakes, rendered pork fat flakes, F. S. C. C. lard and tare.

(c) "Shortening" means standard shortening or hydrogenated shortening.

(d) "Person" means any individual, partnership, corporation, association, any organized group or enterprise or government or government agency including the Office of Supplies.

(e) "Importer" means any person who imports lard or shortening into the Territory of Puerto Rico.

(f) "Wholesaler" means any person who transfers lard or shortening to any person other than a consumer.

(g) "Consumer" means any person acquiring lard or shortening for personal use or consumption.

(h) "Transfer" means sell, lease, lend, trade, give, ship or deliver in any way the ownership or possession of lard or shortening or any interest therein from one person to another.

This order shall become effective at 7:00 a. m. on February 12, 1945.

NOTE: The record keeping and reporting requirements of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of February 1945.

SAM GILSTRAP,
Territorial Director Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator
Region IX.

[F. R. Doc. 45-2788; Filed, Feb. 19, 1945;
4:25 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 99, Amdt. 2]

ADJUSTMENT OF MAXIMUM PRICES FOR SPECIFIED KNITTED UNDERWEAR GARMENTS MANUFACTURED PURSUANT TO DIRECTION OF THE WAR PRODUCTION BOARD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 99 is amended in the following respects:

1. Paragraph (a) of § 1305.127 is amended to read as follows:

(a) *Who may apply.* Any manufacturer required to produce any garment of knitted underwear by direction of War Production Board, pursuant to General Direction No. 4, issued December 16, 1944, or Direction 9, issued January 24, 1945, to Conservation Order M-328 may apply for an adjustment of his ceiling price on such garment.

2. Subparagraph (2) of paragraph (b) of § 1305.127 is amended to read as follows:

(2) A price equal to the total unit cost of the garment.

This amendment shall become effective February 19, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2780; Filed, Feb. 19, 1945;
4:25 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 25]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1.1 is amended to read as follows:

SECTION 1.1 *To what products this regulation is applicable.* The provisions of this regulation cover the following products:

Liquefied petroleum gas.
Natural gasoline.
Aviation gasoline.
Automotive gasoline.

*Copies may be obtained from the Office of Price Administration.
19 F.R. 13521.

Blending naphtha.
Stove and lamp naphtha.
Tractor fuel.
Kerosene.
Range oil, stove oil or heater oil.
All other distillate burning, heating or fuel oils.
Diesel fuel.
Gas oil.
Gas enrichment oil.
Residual fuel oil.

Crude petroleum when sold: (1) to a processor for use as gas enrichment oil, (2) to a tank wagon reseller by sellers other than crude oil producers for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom, or (3) to a consumer for a purpose other than the production of more than one petroleum fraction therefrom: *Provided, however,* This regulation shall not be applicable to sales of crude petroleum to a refiner or to a person using such crude petroleum in oil and gas field operations.

Any fraction of crude petroleum which is a source of or is used to produce any of the foregoing commodities.

Any fraction of petroleum which is sold for the same end use as any of the foregoing commodities.

2. Section 1.2 is amended to read as follows:

SEC. 1.2 *To what transactions, persons and areas this regulation is applicable.* (a) This regulation covers all types of sales and deliveries of the products listed in section 1.1, either by refiners, blenders, resellers or any other person, with the following exceptions:

(1) Retail sales at retail establishments.

(2) Sales of liquefied petroleum gas to consumers in single lots deliveries of 500 gallons or less.

(3) Exchanges of petroleum products between refiners.

(4) Sales between original suppliers made pursuant to assignments or reassignments under Petroleum Directive No. 59 of the Petroleum Administration for War.

(5) Sales between corporations when one is a wholly owned subsidiary of the other, or when both are wholly owned subsidiaries of a third corporation, and sales between such other affiliated corporations as are especially excepted by order in writing of the Price Administrator or his duly authorized representative.

(6) Sales by the Defense Supplies Corporation at pipe line terminal.

(7) Inter-refinery sales of C-4 petroleum fractions when such sales are made for replacement purposes at the direction of the Petroleum Administration for War.

(8) Sales of aviation gasoline of 87 ASTM Octane rating or higher.

(9) Sales to the United States Government and agencies thereof of United States Army specification gasoline, 2-103-B (all types)

(10) Sales of special hydrocarbon fractions when sold for use in the manufacture of synthetic rubber, aviation gasoline of 87 Octane ASTM rating or higher, toluene or their components.

(b) *Maximum prices for particular transactions which are ordinarily ex-*

empt. Notwithstanding the provisions of paragraph (a) above, the Administrator, by amendment to this regulation or by order thereunder, may establish, except in the case of the transactions described in items 1 and 2 of said paragraph (a), a maximum price for a particular sale which would otherwise be excepted, pursuant to such paragraph (a) from the coverage of this regulation.

(c) This regulation applies in the 48 states of the United States, District of Columbia and the territories and possessions of the United States except in the Panama Canal Zone and except in the Territory of Alaska.

3. Section 1.3 is amended to read as follows:

Sec. 1.3 Products and transactions exempted from the General Maximum Price Regulation. Any products or transactions stated in section 1.1 or 1.2 to be excepted from the coverage of this regulation are also exempt from the provisions of the General Maximum Price Regulation.

4. Section 2.4 (b) (3) is added to read as follows:

(3) **Fuel oil bunkers delivered by barge within Los Angeles Harbor** The maximum prices for fuel oil bunkers delivered by barge within that part of Los Angeles Harbor which is inside the breakwater shall be as follows:

(i) On a delivery of 500 barrels or more:

Product:	Dollars per barrel
P. S. 400 fuel oil.....	1.10
P. S. 300 fuel oil.....	1.20
Navy grade special.....	1.265

(ii) On a delivery of less than 500 barrels an additional charge of \$80.00 per delivery may be added to any of the maximum prices established in (i) above.

5. Section 2.17 (a) is amended by correcting the maximum prices of kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over at the townships or cities listed below to read as follows:

	Cents per gallon
Alfred	10.9
Biddford	10.4
Buxton	10.4
Dayton	10.4
Hollis	10.4
Kennebunk	10.4
Kennebunkport	10.4
Lyman	10.4
North Kennebunkport	10.4
Old Orchard	10.4
Saco	10.4
Waterboro	10.4

6. Section 2.27 (a) is amended by correcting the maximum price of kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over at New Hampton to 11.4¢ per gallon.

7. Section 2.28 (a) (1) is amended by deleting from the table of wholesale f. o. b. prices the phrase "For delivery within:" and substituting therefor the phrase "At shipping points within:"

8. Section 2.28 (a) (2) is amended by deleting from the table of wholesale f. o. b. prices the phrase "For delivery within:" and substituting therefor the phrase "At shipping points within:"

9. Section 2.30 (a) (1) is amended by deleting from the table of wholesale f. o. b. prices the phrase "For delivery within:" and substituting therefor the phrase "At shipping points within:"

10. Section 2.30 (a) (2) is amended by deleting from the table of wholesale f. o. b. prices the phrase "For delivery within:" and substituting therefor the phrase "At shipping points within:"

11. Section 2.34 is amended as follows:

The portion of the section which follows the heading is redesignated as section 2.34 (a) (1) and to such new section 2.34 (a) (1) is added a heading to read as follows:

(1) **F o. b. refinery prices for kerosene and various distillates.**

12. Section 2.34 (a) (2) is added to read as follows:

(2) **Liquefied petroleum gas; maximum delivered price to consumers.** Within the State of Oklahoma the maximum price to consumers for any grade of liquefied petroleum gas, delivered in bulk in single lots of more than 500 gallons, shall be 6 cents per gallon.

13. Section 2.41 (d) is added to read as follows:

(d) **Texas Panhandle and certain West Texas Counties; Liquefied petroleum gas.** Within the Texas Panhandle Area, as the same is defined in section 2.41 (b) (1) above, and within the West Texas Counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochrane, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent and Stonewall, the maximum price to consumers for any grade of liquefied petroleum gas, delivered in bulk in single lots of more than 500 gallons, shall be 6¢ per gallon.

14. Special section 4 is amended to read as follows:

Special section 4—Maximum prices for certain grades of gasoline made to United States Army specifications. Maximum prices other than tank wagon prices established under Article IV are inapplicable to sales of any grade of gasoline which meets all United States Army Grade 2-103-B specifications except those with respect to tetraethyl lead, octane rating or color, and to sales of United States Army grades 2-116 and 2-114 when any of such grades of automotive gasoline are sold to the United States Armed Forces, Foreign Economic Administration and Federal agencies making purchases under T. P. S. contracts. Maximum prices for such sales of these grades of gasoline must be established pursuant to section 8.3.

15. Section 4.16 (a) is amended as follows:

In the column listing the various specifications the following specification is inserted between 70-74 Oct. ASTM and 65-67 Oct. ASTM, and the following figure applicable as indicated for the added specification, is added to the column headed by the caption "Cents per gallon":

68-69 Oct. ASTM..... 5.50

16. Section 4.41 (a) is amended as follows:

In the column listing the various specifications the following specification is inserted between 70-74 Oct. ASTM and 65-67 Oct. ASTM, and the following figure, applicable as indicated for the added specification, is added to the column headed by the caption "Cents per gallon":

68-69 Oct. ASTM..... 5.50

17. In Article V, note 2 at the heading thereof is amended as follows:

NOTE 2. Maximum prices other than tank wagon prices cannot be determined under Article V on sales of any grade of gasoline which meets all United States Army Grade 2-103-B specifications except those with respect to tetraethyl lead, octane rating or color and on sales of United States Army Grades 2-116 and 2-114, when any of the above grades of automotive gasoline are sold to the United States Armed Forces, Foreign Economic Administration and Federal agencies making purchases under T. P. S. contracts. Maximum prices for such sales of these grades of gasoline must be established pursuant to section 8.3.

18. Section 5.1 (g) is added to read as follows:

(g) **Within the State of Louisiana; tractor fuel (gasoline type)** A seller's maximum price for gasoline type tractor fuel¹ at any shipping or delivery point within the State of Louisiana shall be his maximum price, as determined under Article V, for distillate type tractor fuel,² plus 0.25¢ per gallon.

¹For the purposes of this section, gasoline type tractor fuel means a petroleum product sold for use in tractor engines which has a distillation range as follows:

The initial boiling point shall not be below 170° F. nor above 220° F.

The 20% recovery point shall not be below 250° F. nor above 300° F.

The 50% recovery point shall not be below 330° F. nor above 380° F.

The 90% recovery point shall not be below 430° F. nor above 480° F.

The end point shall not be below 500° F. nor above 540° F.

²For the purpose of this section distillate type tractor fuel means a petroleum product sold for use in tractor engines which has a minimum flash point of 115° F. (Tag. closed cup).

19. In section 6.3 the heading is amended to read as follows:

SEC. 6.3 On sales of kerosene, light middle distillates and medium middle distillates.

20. In section 6.4 the heading is amended to read as follows:

SEC. 6.4 On sales of residuals or heavy distillates.

21. Section 6.4 (a) (1) (i) is amended to read as follows:

(i) **Increases to maximum prices determined under Article V** Except as provided in subparagraph (2) below and except at the shipping points designated in section 3.4, there may be added within the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York,¹ North Carolina, Pennsylvania,² Rhode Island, South Carolina, Vermont, Virginia, West Virginia,³ the District of Columbia, and the corporate limits of

Bristol, Tennessee, the sum of 30 cents²³ per barrel to a maximum price determined under Article V for a residual product having a viscosity of 50 seconds Saybolt Universal (at 100° F.) and above, and for a heavy distillate product having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above. Blends of residuals and distillates shall be considered residuals.

NOTE: Examples of residual products, as the term is used above, are residual fuel oils, residual Diesel fuels, residual gas enrichment oil, and crude petroleum sold for the same use as any of the foregoing. Examples of heavy distillates, as the term is used above, are heavy distillate Diesel fuels, heavy distillate gas enrichment oils and heavy industrial gas oils.

²³ In Schedule D area add 15¢ instead of 30¢.

21. Section 6.5 is amended to read as follows:

Sec. 6.5 On sales of gasolines and blending naphthas—(a) In the Eastern Seaboard Area—(1) Within the area generally; at all selling levels—(i) Increases to maximum prices determined under Article V for automotive and certain aviation gasolines. Except as hereunder provided in subparagraph (2) within the states or portions thereof listed below the amount designated below may be added to a maximum price determined under Article V for either automotive or aviation gasoline below 87 Octane ASTM.

State or portion thereof:	Cents per gallon to be added
Connecticut.....	1.2
Delaware.....	1.2
Florida (east of the Apalachicola River).....	6
Georgia.....	6
Maine.....	1.2
Maryland.....	1.2
Massachusetts.....	1.2
New Hampshire.....	1.2
New Jersey.....	1.2
New York.....	1.2
Excepting Schedule D area.....	6
North Carolina.....	.8
Pennsylvania.....	1.2
Excepting Schedule D area.....	6
Rhode Island.....	1.2
South Carolina.....	.8
Tennessee (corporate limits of Bristol only).....	1.2
Vermont.....	1.2
Virginia.....	1.2
West Virginia.....	1.2
Excepting Schedule D area.....	6
District of Columbia.....	1.2

(ii) Reductions to certain maximum prices established under Article VIII for automotive and certain aviation gasolines. Except as hereunder provided in subparagraph (2) within the areas listed below maximum prices, established prior to September 1, 1944, under Article VIII, for any of the products mentioned in (i) above shall be reduced as follows:

Area:	Reductions in cents per gallon
Schedule D area.....	0.6
North Carolina.....	4
South Carolina.....	4
Georgia.....	.3
Florida (east of the Apalachicola River).....	.3

(iii) Increases to maximum prices determined under Article V for natural gasoline and blending naphtha. Except

as hereunder provided in subparagraph (2) within the states or portions thereof listed in (i) above an amount as therein designated may be added to a maximum price determined under Article V for either natural gasoline or blending naphtha providing that the seller is a claimant under the Petroleum Compensatory Regulation No. 1, as amended and revised, and the purchaser is not such a claimant.

This amendment shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2824; Filed, Feb. 20, 1945; 11:41 a. m.]

PART 1340—FUEL

[RMPR 137, Amdt. 9]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 8 (c) (2) is added to read as follows:

(2) *State of Oklahoma.* The maximum prices on sales of all grades of liquefied petroleum gas delivered in bulk lots to consumers in the State of Oklahoma, shall be as follows:

	Cents per gallon
Single lot deliveries of 220 gallons or less.....	7.0
Single lot deliveries of 221-500 gallons.....	6.5

2. Section 8 (c) (3) is added to read as follows:

(3) *Texas Panhandle Area.* In the Texas Panhandle area, comprising the Counties of Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Farmer, Castro, Swisher, Briscoe, Hall, and Childress, the maximum prices on sales of all grades of liquefied petroleum gas delivered in bulk lots to consumers, shall be as follows:

	Cents per gallon
Single lot deliveries of 220 gallons or less.....	7.0
Single lot deliveries of 221-500 gallons.....	6.5

3. Section 8 (c) (4) is added to read as follows:

(4) *Certain Counties in West Texas.* In the Counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, in the State of Texas, the maximum prices on sales of all grades of liquefied petroleum gas delivered in bulk lots to consumers shall be as follows:

*Copies may be obtained from the Office of Price Administration.

Cents per gallon

Single lot deliveries of 220 gallons or less... 7.5
Single lot deliveries of 221-500 gallons... 7.0

This amendment shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2825; Filed, Feb. 20, 1945; 11:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d RMPR 346, Revocation]

CORN

A statement of the considerations involved in the issuance of this revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 346 is revoked, subject to the provisions of Supplementary Order 40.¹

This order shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2828; Filed, Feb. 20, 1945; 11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Amdt. 3]

GENERAL PRICING PROVISIONS FOR CERTAIN GRAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5.1 of Food Products Regulation No. 2 is amended to read as follows:

Sec. 5.1 *Maximum prices for sales of grain on futures markets.* The maximum price per bushel, bulk, for the sale of any grain on any futures market designated as a contract market under the authority of the Commodity Exchange Act whose rules provide for the delivery of such grain in store and for the subsequent resale and redelivery in store of the grain delivered on such futures contracts, shall be the base price determined under the applicable supplement for the applicable terminal base point for the grade and quality stipulated in such futures contract, plus the amount provided in the applicable supplement for one merchandising markup and one commission merchant's service charge. In connection with any limitation in the applicable supplement on the total number or amount of markups or the total amount of service charges that may be included in a maximum price, the above maximum price shall be deemed to include one merchandising markup and one commission merchant's service charge.

¹ 9 F.R. 721.

For the purposes of accomplishing delivery of the actual grain on a futures market at such maximum price, the provisions of this section shall function as an exception to the rules provided in the applicable supplement with respect to sales in store and no deduction need be made for the loading out charge, but when any grain delivered against a futures contract is loaded out, the person taking such delivery shall for the resale of such grain determine his maximum price under the provisions of the applicable supplement, regardless of the exception herein provided.

This amendment shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator

Approved: February 9, 1945.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 45-2821; Filed, Feb. 20, 1945;
11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[FPR 2, Supp. 4]

CORN

This supplement together with Food Products Regulation 2 supersedes Second Revised Maximum Price Regulations No. 346, as amended,² insofar as it establishes maximum prices for the sale and delivery of corn.

The prices established, herein, are generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and of Executive Orders Nos. 9250 and 9328.

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected. Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sec.

1. Applicability.
2. Sales at other than maximum prices.
3. Evasion.
4. Applicability of provisions of Food Products Regulation No. 2.
5. Definitions and explanation of the supplement.
6. Base prices.
7. Maximum prices for sales by producers.
8. Maximum prices for sales by trucker-merchants.
9. Maximum prices for sales by country shippers.

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 8304.

² 8 F.R. 16606, 17512; 9 F.R. 2021, 3426, 4610, 6628, 7425, 8932, 9514, 12597.

Sec.

10. Maximum prices for sales by merchant-dispersers.
11. Maximum prices for purchases and sales by importers.
12. Limitations on total markups of country shippers and merchandisers and on service charges of commission merchants and brokers which may be included in a maximum price.
13. Rules relating to additions to maximum prices.
14. Separate invoicing of charges, markups and costs.

Appendix A:

Table I (a)—Schedule of premiums and discounts over or under standard grade and quality.

Table I (b)—Method of adjusting prices for grade and quality.

Table II—Description of Area A.

Table III—Base prices at barge loading points.

Table IV—List of state and county base prices in Area B.

AUTHORITY: § 1351.470 issued under 56 Stat. 23, 765; 57 Stat. 569; Pub. Law 383, 76th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4691.

EXPLANATION OF THE RELATION OF THIS SUPPLEMENT TO FOOD PRODUCTS REGULATION NO. 2

Not all of the provisions affecting the maximum prices for sales of corn are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 2, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 2 which are applicable to this supplement are listed at appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SECTION 1. Applicability. Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales of imported and domestic corn, to all deliveries of such corn, whether immediate or future, and to all purchases in the course of trade or business of corn grown outside the United States to be imported into the United States.

(a) *Exempt sales*—(1) *Sales by retailers.* This supplement shall not apply to sales by retailers as defined herein. Supplement No. 1¹ to Food Products Regulation No. 2 shall apply.

(2) *Export sales.* The maximum price for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation as amended.⁴

(3) *Emergency purchases.* Section 1.2 (a) of Food Products Regulation No. 2, dealing with the exemption of emergency purchases, is applicable to this supplement.

(4) *Seed corn.* This supplement shall not apply to sales of corn which the buyer intends to use for seed for plant-

ing or to resell for ultimate use as seed for planting. Section 2.7 of Food Products Regulation No. 2, dealing with special rules for such sales, is applicable to this supplement.

(5) *Prior contracts.* This supplement shall not apply to deliveries made pursuant to contracts for the sale of corn entered into before the date of issuance of this supplement, if such contracts complied with the provisions of Second Revised Maximum Price Regulation No. 346, as amended.

(6) *Waxy maize, ornamental corn, popcorn, sweet corn, broom corn, grain sorghums, ground corn, cracked corn and corn to be used for canning.* This supplement shall not apply to sales of waxy maize, ornamental corn, popcorn, sweet corn, broom corn, grain sorghums, ground corn, cracked corn and corn to be used for canning.

(7) *Corn for human consumption.* This supplement shall not apply to sales of shelled corn which is sold at retail for human consumption in 5 pound packages or less.

SEC. 2. Sales at other than maximum prices. Regardless of any contract or obligation, no person shall sell or deliver, and no person shall in the course of trade or business buy or receive any corn covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (a) of this section.

(a) *Adjustable pricing.* Section 1.2 (b) of Food Products Regulation No. 2, dealing with adjustable pricing, is applicable to this supplement.

(b) *Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.*

SEC. 3. Evasion. The price limitations set forth in this supplement shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to corn, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or by any other means.

SEC. 4. Applicability of provisions of Food Products Regulation No. 2. Most of the provisions of Food Products Regulation No. 2 are applicable to and made a part of this supplement. The sections of Article I not heretofore referred to, and the sections of Articles II, III, IV, and V, with an indication of their subject matter, which are applicable, follows:

ARTICLE I

Sec.

- 1.2 (c) Documents, records and reports.
- 1.2 (d) Licensing.
- 1.2 (e) Enforcement.
- 1.2 (f) Petitions and petitions for amendment.

ARTICLE II

- 2.1 Rules relating to delivery.
- 2.2 Rules relating to commingling.

Sec.

- 2.3 General rules for determining the prices applicable to a withdrawal from a place of business. (This includes both provisions for averaging and for selling without averaging.)
- 2.5 Rules providing markups for persons performing several marketing functions—the so-called "integrated business" rule.
- 2.6 Pricing grains handled by processors when used in processing.
- 2.7 Rules respecting sales of grain exempted, or for which a premium may be paid on basis of ultimate use.

ARTICLE III

3.1 Definitions.

ARTICLE IV

- 4.1 Base price of mixed grain.
- 4.2 Maximum prices for sales of mixed grain.
- 4.3 Applicability of this article.

ARTICLE V

5.1 Sales on contract futures markets.

Sec. 5. *Definitions and explanation of the supplement*—(a) *Definitions appearing in Food Products Regulation No. 2.* The definitions of the following terms appear in Food Products Regulation No. 2. Since with some modifications they are applicable to all the provisions of this supplement, they are set forth here for your convenience.

(1) "Person" means an individual, corporation, partnership, association or other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States, or any other government, or any political subdivision or agency of any of the foregoing.

(2) "Corn" and "mixed grain" mean such grains as defined in the Official Grain Standards of the United States; "corn" shall include "white corn," "ear corn," and "snapped corn," as defined herein.

(3) "Feeder" means, with respect to any lot of grain, a person who uses such grain for feeding to animals or poultry.

(4) "His supplier" or "your supplier" means, as to any seller, the person from whom he or you purchased the grain involved.

(5) "His customer" or "your customer" means, as to any seller, the person to whom he or you sells the lot of grain involved.

(6) "Processor" means any person who converts grain into a product other than grain or mixed grain.

(7) "Carload quantity" means any lot of corn of 60,000 pounds or more not delivered by or into a truck, or any lot of corn of 30,000 pounds or more when shipped by rail in such a manner as to take a carload rate under tariff requirements, and includes mixed cars and pool cars.

(8) "Less than carload lot" or "less than carload quantity" means a lot of grain less than a carload quantity. It includes any delivery by or into truck.

(b) *Additional definitions.* When used in this supplement the following terms shall have the following meanings:

(1) "Ear corn" means corn on the cob from which the shuck has been removed;

(2) "Snapped corn" means corn on the cob with all or part of the shuck attached.

(3) "Waxy maize" means that special hybrid variety of corn with a starch in the kernels which is similar to tapioca starch and which stains reddish brown with iodine, and which is grown under contract, and sold by the producer directly to a tapioca manufacturer, or his agent, for special processing.

(4) "Ornamental corn" is a flint corn of variegated colors, sometimes known as "Indian ceremonial corn" which is used for decorative purposes.

(5) "Bushel" as a unit of measurement, means the following:

(i) For shelled corn, 56 pounds.

(ii) For ear corn and snapped corn, the weight provided by state law, at the point and time of delivery, but in no event less than 68 pounds.

(6) "White corn" is that corn which meets the requirements of the Official Grain Standards of the United States for Class II or white corn; except that it may contain 5% of other colors.

(7) "Test weight per bushel" means that factor in determining the grade of corn under the method prescribed in the Official Grain Standards of the United States.

(8) "United States" when it refers to an area, means the 48 states and the District of Columbia.

(9) "Your transportation cost" means (i) If you employ a common carrier, contract carrier, or other carrier for hire or compensation, the charge which you actually incur for the transportation service; *Provided*, That such charge shall not include the difference, if any, between the unload rate and the winter storage rate in the case of corn shipped via lake vessel; or

(ii) If you do your own hauling by truck or other vehicle, the hauling allowance at the scale set forth in definition (10) or

(iii) If you transport the lot by barge or vessel owned, leased, or chartered and operated by you, the going rate for the same movement, if there is such a going rate, or if there is no going rate for the same movement, then the going rate for the most similar movement, not to exceed the reasonable value of the service; or

(iv) When any movement involves a combination of more than one of the types of transportation included in (i) (ii) or (iii) the transportation cost for the movement of each type shall be computed separately and the results added.

(v) If any part of the movement is by barge or vessel, you may add customary vessel brokerage, cargo insurance, and outturn insurance or allowances on such lot, to the extent not included in the cost computed under (i) or (iii) above.

(10) "Hauling allowance" means the following scale of charges:

(i) For shelled corn, if the total haul does not exceed 100 miles—3 cents per 100 pounds for the first five miles or fraction thereof, plus 1 cent per 100 pounds for each additional five miles or fraction thereof;

If the haul exceeds 100 miles, the lowest local carload corn rail rate from the rail point nearest the point of origin to the rail point nearest point of destina-

tion plus 8 cents per 100 pounds, but not to exceed 22 cents per 100 pounds, plus ¼ cent per 100 pounds for each five miles or fraction thereof over 100 miles.

(ii) For ear or snapped corn, for distances not exceeding 100 miles, 6 cents per 100 pounds for the first five miles or fraction thereof, plus 2 cents per 100 pounds for each additional five miles or fraction thereof.

(iii) In applying the above mileage scale, all distances for truck movement shall be determined via the shortest route between point of origin and point of destination reasonably suitable for truck movement.

(11) "Producer" means, with respect to any lot of corn grown in the United States, either:

(i) The person who grew or harvested such lot of corn; or

(ii) A landlord who received such lot of corn as or in lieu of rent for the farm where grown; or

(iii) Any person who delivers the corn to his customer at the farm where grown or at roadside near such farm. The result of that is that if you do not deliver the corn to your customer off the farm where grown you do not secure a higher price than the person who grew it would have received.

(12) "Country shipper" means, with respect to any lot of corn, a person who purchases and receives the corn from a producer, in any quantity, at any point other than a terminal base point, before any movement by rail or barge, and who (i) delivers it to his customer at a point which is neither on the farm where grown nor at roadside near such farm, and (ii) delivers it in any manner other than as a trucker-merchant or as a retailer.

NOTE: If you purchase and receive the corn from a producer at a terminal base point, on your resale thereof you must determine your maximum price as a merchandiser or as a retailer, as the case may be, following the rules in Section 10 of this supplement, or the rules in Supplement No. 1 to Food Products Regulation No. 2.

(13) "Trucker-merchant" means, with respect to any lot of corn, a person who purchases such corn for resale and without loading it into a barge or railroad car or unloading it into an elevator or warehouse for his own account and use transports and delivers the same to his customer in a truck or other vehicle owned or leased and operated by him.

(14) "Merchandiser" means, with respect to any lot of corn owned by him, a seller, other than a retailer, for whom a maximum price is not otherwise provided in this supplement. In other words, he is a person who merchandises the corn other than as a producer, country shipper, trucker-merchant or retailer.

(15) "Retailer" means, with respect to any lot of corn, a person who receives sacked or packaged corn into his store and sells and delivers it in that form to a feeder.

(16) "Store" means a building, or a separate unit in a building, where the business of buying, selling and delivering sacked or packaged grain at retail is carried on, or where a general business, of which such retail grain business is a part, is conducted. In order to maintain its status as a "store", such business shall

carry a stock of sacked or packaged corn, which it received in that form, for sale at retail, and, in addition, it may carry other stocks of merchandise.

The types of sales, described in (i) and (ii) below, are not "sales at retail" even though they are made out of a store.

(i) Sales of sacked or packaged corn to persons other than feeders or sales of bulk corn.

(ii) Sales of corn which was received in bulk and which was sacked or packaged before resale.

(17) "Broker" means, with respect to any lot of corn, a person who, acting for the account of either seller or buyer or both, negotiates a sale or purchase of such corn for either seller or buyer or both, other than as a commission merchant or as an employee of either seller or buyer. No person can be a broker as to corn owned by him.

(18) "Commission merchant" means, with respect to any lot of corn a person who receives a carload quantity on behalf of another person who is the owner thereof and negotiates or has negotiated a sale of such corn in his own name to a person other than himself (except as provided in (i) below) on a legally constituted grain exchange in any of the following cities:

Baltimore, Md.	Memphis, Tenn.
Boston, Mass.	Milwaukee, Wis.
Buffalo, N. Y.	Minneapolis, Minn.
Chicago, Ill.	New York, N. Y.
Cincinnati, Ohio.	Nebraska City, Nebr.
Dallas, Tex.	Omaha, Nebr.
Denver, Colo.	Peoria, Ill.
Des Moines, Iowa.	Philadelphia, Pa.
Duluth, Minn.	St. Joseph, Mo.
Enid, Okla.	St. Louis, Mo.
Fort Worth, Tex.	Salina, Kans.
Hutchinson, Kans.	San Francisco, Calif.
Indianapolis, Ind.	Sioux City, Iowa.
Kansas City, Mo.	Toledo, Ohio.
Louisville, Ky.	Wichita, Kans.

(i) The requirement that the sale must be to a person other than the commission merchant will be waived if at all times from January 1, 1943, to and including the time of sale such purchase has been permissible under the rules of the exchange or under the law of the state in which the exchange is located.

Regardless of any of the provisions of this supplement, division of commission charges may be made with and paid to exchange members in accordance with rules of the respective exchanges which were in effect January 1, 1943, and sellers of corn who are members may receive such divisions.

(19) "Terminal base point" means any city listed in section 6, and includes all points within the corporate or reciprocal switching limits of such city.

(20) "Interior point" means any point other than a terminal base point, except that with respect to any particular lot of corn it does not include the farm where such corn was grown.

(21) "Interior rail point" means any point other than a terminal base point having facilities for the loading of railroad freight cars and from which railroad freight rates are published as provided by law.

(22) "Barge loading point" means the barge loading facility or facilities at the points, specified, or described as barge

loading points in Table III of Appendix A.

(23) "Base price" means the price, per bushel, with adjustments for grade and quality, as provided in section 6. These base prices shall not be used independently as maximum prices nor shall they be used in any other method than is specifically provided in the maximum pricing provisions (sections 7 to 11 inclusive).

(24) "Area A" means that area in the United States which is described in Table II of Appendix A.

(25) "Area B" means all parts of the United States not included in Area A.

(26) "Popcorn" means that variety of flint corn having small ears and small hard kernels which, when exposed to dry heat, burst open with a sharp noise, and become white and puffy.

(27) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

(28) "Sweet corn" is that type of ear corn adapted for table use when in the milk stage, and used or to be used for food for human consumption.

(29) "Nearest", as used in sections 6 (a) (3) and 6 (a) (6), means the shortest distance by a route suitable for truck movement.

(30) "Other vehicle" means any conveyance other than a truck, rail car, barge or vessel.

(c) *General explanation of the pricing provisions in this supplement.* This supplement provides a maximum price for every kind of seller and for every kind of sale not exempted under other provisions of this supplement. You may not always be the same type of seller on different lots of corn that you sell, and you must consult the definitions to learn the type of seller you are in connection with any particular sale. In order that pricing provisions should be fair to every kind of handler, it has been necessary to define types of sellers more closely by reference to the functions they perform in each transaction rather than by popular terminology used by the trade. You must, therefore, be careful to study the definitions in connection with the particular sale you want to price. After you have decided the type of seller you are on a particular sale, you look in the following sections for your maximum price.

If you are a producer, see section 7.

If you are a trucker-merchant, see section 8.

If you are a country shipper, see section 9.

If you are a merchandiser, see section 10.

If you are an importer, see section 11.

If you are a retailer, you will find your maximum price in Supplement No. 1 to Food Products Regulation No. 2.

If you are selling mixed grain, your maximum price is arrived at in the manner set forth in Article IV of Food Products Regulation No. 2.

In some cases, you will find that your maximum price depends on your supplier's maximum price. In other cases, as in sections 7, 9, 10, or 11, you will find that your maximum price for the sale of a particular lot of corn depends on what is called a "base price", which you will find in section 6. Base prices are not maximum prices although sometimes

you will find that the maximum price on a particular lot is the same as the base price; but more often the maximum pricing provisions provide that you deduct something from, or add something to, the base price in computing your maximum price.

Sec. 6. *Base prices.* As explained in the preceding section, "base prices" are not maximum prices but are used in the determination of maximum prices. All corn does not have the same value because of variations in grade and quality, and also because corn located at one point may command a different price than corn located at another point. Base prices are, accordingly, worked out to reflect differences in grade and quality and differences in location. Generally speaking, this supplement starts any lot of corn into marketing channels with a maximum price at or near its origin, and these base prices are for the purpose of arriving at such initial maximum price for the particular grade, quality and location. At different levels of marketing the supplement permits the addition to base prices of transportation costs, markups, and similar incidents to distribution.

In order to provide a base price for corn at every point in the United States, for every grade and quality, it is necessary to establish base prices by location for a "standard grade" of shelled corn, and provide premiums and discounts from that standard grade, for other grades and qualities. The "standard grade" is No. 2 corn of Class I (yellow corn) and Class III (mixed corn) of the Official Grain Standards of the United States having a minimum test weight of 53 pounds per bushel and a moisture content of not more than 15.5 percent. Base prices for other grades and qualities are determined by adding or subtracting the premiums and discounts provided in Table I of Appendix A to or from the corresponding price for the "standard grade".

(a) *Base price for shelled corn.* Base prices by location for the "standard grade" of shelled corn, bulk, shall be as follows:

(1) *Base prices at terminal points.* At terminal base points the prices per bushel, bulk, are as follows:

		Price per bushel, bulk, for No. 2 Yellow and Mixed Shelled Corn
Terminal base point:		
Chicago, Illinois	_____	\$1.16
Cincinnati, Ohio	_____	1.20 $\frac{1}{4}$
Council Bluffs, Iowa	_____	1.10
Duluth, Minnesota	_____	1.15 $\frac{1}{4}$
East St. Louis, Illinois	_____	1.16 $\frac{3}{4}$
Kansas City, Kansas	_____	1.12 $\frac{3}{4}$
Kansas City, Missouri	_____	1.12 $\frac{3}{4}$
Louisville, Kentucky	_____	1.20 $\frac{1}{4}$
Milwaukee, Wisconsin	_____	1.16
Minneapolis, Minnesota	_____	1.12 $\frac{3}{4}$
Omaha, Nebraska	_____	1.10
Peoria, Illinois	_____	1.15
Peoria, Illinois	_____	1.15
Philadelphia, Pennsylvania	_____	1.23 $\frac{3}{4}$
St. Joseph, Missouri	_____	1.12 $\frac{3}{4}$
St. Louis, Missouri	_____	1.16 $\frac{3}{4}$
St. Paul, Minnesota	_____	1.12 $\frac{3}{4}$
Sioux City, Iowa	_____	1.09
Superior, Wisconsin	_____	1.15 $\frac{1}{4}$

(2) *Base prices at interior rail points in Area A.* At any interior rail point in

Area A the highest price, determined by deducting from the base price at any terminal base point the transportation charges, per bushel, from such interior rail point to such terminal base point at the lowest domestic carload freight rate.

(3) *Base prices at interior points in Area A, other than interior rail points or barge loading points.* At any interior point in Area A, other than an interior rail or barge loading point, the base price at the nearest interior rail point.

(4) *Base prices at barge loading points.* At any barge loading point, the price set forth in Table III of Appendix A. *Provided*, That if any corn is shipped out of the barge loading point by rail, the base price on resale shall be the base price which would be applicable to such interior point if it were not also a barge loading point.

(5) *Base prices at interior points in Area B.* At any interior point in Area B, the price set forth in Table IV of Appendix A opposite the state and county or parish wherein the interior point in question is situated. If any interior point lies in two price zones, its base price shall be the price of the higher zone. If any interior point lies in a zone for which no price is named, its base price shall be the highest base price in any county or parish abutting such zone.

(6) *Base prices at the farm where grown.* (i) At the farm where grown (a) the base price of the nearest interior rail point or barge loading point (whichever is nearest to such farm) less 4 cents per bushel or (b) the base price at the nearest barge loading point less 2½ cents per bushel, and less a transportation charge at the rates set forth in section 7 (b) (2) (ii) from the barge loading point to the farm: *Provided*, That if the corn is not hauled and delivered to a barge loading point, the base price on resale shall be as in (a) above.

(ii) *Base prices for imported corn.* For base prices on imported corn, see Section 11 of this supplement.

(iii) *Base prices for ear corn and snapped corn.* The base price per bushel, bulk, for ear corn and snapped corn shall be the appropriate base price for the kind and grade of shelled corn into which such ear corn or snapped corn can be converted less the difference, if any, between the market price of the ear corn or snapped corn (which shall not exceed the maximum price thereof) and the maximum price of the shelled corn into which such ear corn or snapped corn can be converted.

(iv) *Base prices for mixed grain.* The base price for mixed grain (as defined in the Official Grain Standards of the United States for corn) bulk, shall be determined pursuant to Article IV of Food Products Regulation No. 2.

(v) *Base prices for white corn.* The base price per bushel, bulk, for white corn, shall be the base price for the corresponding grade and quality of yellow corn or mixed corn, plus 15 cents per bushel.

SEC. 7. Maximum prices for sales by producers. You will find that the term "producer" has been defined to include several persons. It includes a person who grew or harvested the lot of corn,

and a landlord who received such corn as, or in lieu of, rent for the farm where grown. In addition, for the purposes of the maximum pricing provisions, it includes any other person who delivers the corn to his customer on the farm where grown or at roadside near such farm, the price result of this being that you must deliver the corn to your customer away from the farm where grown or roadside nearby in order to secure a higher price than the person who grew the corn could have received.

You will not be acting as a producer in selling such corn, but as a country shipper, merchandiser or retailer, as the case may be: *Provided*, That before selling the corn you have it transported to a store, elevator, or warehouse operated by you at which you carry on a regular business of buying and selling grain produced by others. Under such circumstances, your maximum price shall be determined as though you purchased the corn from another producer at such producer's maximum price on the delivery made to such store, elevator or warehouse.

In connection with any delivery by you as a producer, if your customer performs any service or incurs any expense in connection with growing, threshing, harvesting, collecting from field, or assembling at point where available for ready transportation from farm, the reasonable value of all such services performed and the expense so incurred must be deducted when he pays you the appropriate maximum price.

The maximum price of a producer is as follows:

(a) *If delivery is made at the farm where grown or at roadside near such farm.* If you deliver any lot of corn on the farm where grown or at roadside near such farm, your maximum price per bushel, bulk, shall be the base price at the farm where grown, with the following two exceptions:

(1) If there is an interior rail point on the farm, and you deliver the corn to your customer at a rail loading facility at such interior rail point, your maximum price shall be the base price at the interior rail point, less one cent per bushel if delivered to your customer loaded in a rail car, or less 2½ cents per bushel if not so loaded.

(2) If you are a landlord and you receive the corn from your tenant as or in lieu of rent, and if the lease or rental agreement between you provides for delivery of the corn at some point other than the farm where grown, then your maximum price for the sale of the corn to your tenant for delivery at such farm shall be the base price at the farm plus 1½ cents per bushel.

(b) *If delivery is made by truck or other vehicle from the farm where grown to an elevator or warehouse.* If you deliver the corn by truck or other vehicle from the farm where grown to an elevator or warehouse (not including a delivery to a feeder, store or processing plant, which is covered in paragraph (d), separately) your maximum prices per bushel, bulk, are as follows:

(1) If such elevator or warehouse is located within the switching, corporate, town, or city limits in which a barge

loading point is located, your maximum price is the base price at such barge loading point less 2½ cents per bushel.

(2) If such elevator or warehouse is located at any interior point, other than a barge loading point, your maximum price shall be the highest of either:

(i) The base price at such point, less 2½ cents, per bushel; or

(ii) (In order to allow such elevator or warehouse to handle the corn in a competitive manner with a nearby barge loading point), the base price at the nearest barge loading point, less 2½ cents per bushel, less the applicable scale of transportation charges set forth below, from such elevator or warehouse to the barge loading point:

For shelled corn, 1½ cents per bushel for the first five miles or fraction thereof, and ¼ cent per bushel for each succeeding five miles or fraction thereof;

For ear corn or snapped corn, 3 cents per bushel for the first five miles or fraction thereof, and ½ cent per bushel for each succeeding five miles or fraction thereof.

(3) If you store the corn in any elevator or warehouse located at an interior point, and deliver it to your customer in storage, your maximum price shall be the base price at such point, less 1 cent per bushel, but you must either pay, or have deducted from the payment of the maximum price to you, all accrued storage and handling charges, including the loading out charges. If your customer is also the warehouseman, the deduction for handling and loading out shall be not less than 1½ cents per bushel.

(c) *If delivery is made by truck or other vehicle from the farm where grown to a rail or barge loading facility.* (1) If you deliver the corn by truck or other vehicle from the farm where grown to your customer at a rail loading facility at an interior rail point, without loading into cars, your maximum price per bushel, bulk, shall be the base price at such point, less 2½ cents per bushel.

(2) If you deliver the corn to your customer loaded aboard a rail car or barge, and if it is delivered at point of loading, your maximum price shall be the base price at point of loading, less 1 cent per bushel.

(3) If, after so loading the corn on a rail car or barge, you deliver it to your customer following a rail or barge movement, your maximum price shall be the base price at point of loading less 1 cent per bushel, but plus your transportation cost from the point of loading: *Provided*, That if after such a movement, you store the corn, you must either pay or have deducted from the payment of such maximum price to you, all accrued storage and handling charges and the loading out charges. If your customer is also the warehouseman, such deduction for handling and loading out shall be not less than 1½ cents per bushel.

(d) *If delivery is made by truck or other vehicle to a feeder store or processing plant.* You may deliver the corn by truck or other vehicle to either a feeder, store, or processing plant, in which case your maximum price per bushel, bulk, shall be the base price at the farm where grown plus your transportation cost from such farm to the point of delivery to your customer.

(e) *If delivery is made in any other manner than is provided for above.* If you deliver the corn to your customer in any manner other than as provided above, your maximum price shall be the base price on the farm where grown plus 1½ cents per bushel.

(f) *Adjustment of fractions.* If a maximum price, determined under this section, results in a fraction of a cent other than ¼ of a cent, or a multiple thereof, the same may be increased to the next higher ¼ of a cent.

Sec. 8. Maximum prices for sales by trucker-merchants. "Trucker-merchant" is defined as one who purchases corn for resale and, without loading it into a barge or railroad car, or unloading it into an elevator or warehouse, for his own account and use, transports and delivers the corn to his customer in a truck or other vehicle owned or leased and operated by him.

If you are a trucker-merchant under this definition, your maximum price per bushel, bulk, for the sale of any lot of corn is your supplier's maximum price on the sale and delivery to you plus your hauling allowance from the point where you received delivery from your supplier to the point of delivery to your customer: *Provided*, That if you deliver the corn to a terminal base point or a barge loading point your maximum price shall not exceed the base price at such terminal base point less 2½ cents per bushel, nor shall it exceed the base price at such barge loading point.

Every trucker-merchant shall, with respect to every lot of corn transported by him as such, procure or prepare a statement of information which shall accompany the corn while in transit on the truck or other vehicle. Such statement shall set forth the name and address of the trucker-merchant and of his supplier, the date of purchase, and the grade and purchase price of the corn. Upon delivery of the corn by the trucker-merchant to his customer, a copy of the statement of information signed by the trucker-merchant shall be given to his customer showing also the transportation charge being made. Copies of this statement shall be retained by the trucker-merchant and by his customer as a part of their records.

For enforcement purposes, it is necessary that both the shipments themselves and the records of the trucker-merchant covering such shipments be available for inspection while in transit. Failure of a trucker-merchant to stop for such inspection in response to instructions in a sign conspicuously posted at roadside or upon signal by an Office of Price Administration enforcement officer shall be a violation of this supplement, subject to all penalties of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

Sec. 9. Maximum prices for sales by country shippers. "Country shipper" is defined in section 5 (b) (12) as a person who purchases and receives the corn from a producer at any point other than a terminal base point, in any quantity, before any movement by rail or barge and delivers it to his customer at a point

which is neither on the farm where grown nor at roadside near such farm and delivers it in any manner other than as a trucker-merchant or retailer.

This section sets forth the maximum prices for the ordinary "country shipper" marketing transactions. To these prices you may be entitled to add various charges which you may incur or allowances for special handling of the corn under the rules provided in section 13. Subject to such additions, the maximum prices per bushel, bulk, for sales by a country shipper are as follows:

(a) *If delivery is made in a carload quantity.* If you deliver the corn in a carload quantity, loaded in a rail car or barge or after a movement by such rail car or barge, your maximum price per bushel, bulk, shall be the base price at the point where first so loaded plus your transportation cost, if any, from such point of loading: *Provided*, That, if, after such movement you store the corn, you must either pay or have deducted from the payment to you of such maximum price all accrued storage and handling charges, and the loading out charge. If your customer is also the warehouseman, such deductions for handling and loading out shall be not less than 1 cent per bushel.

(b) *If delivery is made from the elevator or warehouse in less than carload quantities.* If you deliver the corn from the elevator or warehouse, to which it was hauled by truck or other vehicle from the farm where grown, in a less than carload quantity, except as provided in paragraph (e) of this section, your maximum price per bushel, bulk, shall be the sum of your maximum price as determined under paragraph (a) of this section, your transportation cost, if any, and the appropriate one of the following markups:

(1) 2½ cents per bushel if delivered to a feeder in Area A, or

(2) 5½ cents per bushel if delivered to a feeder in Area B; or

(3) 1½ cents per bushel if delivered to any person other than a feeder or trucker-merchant: *Provided*, That, if, in making delivery, you do your own hauling, and, therefore, your transportation cost is the hauling allowance set forth in section 5 (b) (10) and if the distance you haul the corn is more than 60 miles, you shall not add the extra markups provided in this paragraph. The additional markups in this paragraph will not be subject to the limitation on markups provided in section 12 of this supplement. However, if your delivery is to a trucker-merchant, your maximum price shall not exceed the base price at the point of delivery.

(c) *If delivery is made in storage.* If you deliver the corn, in any quantity, stored in the elevator or warehouse to which it was hauled by truck or other vehicle from the farm where grown, your maximum price per bushel, bulk, shall be the base price at the point where the elevator or warehouse is located, but you must either pay or have deducted from the payment of the maximum price to you all accrued storage and handling charges, and the loading out charges. If your customer is also the warehouseman,

the deduction for handling and loading out shall be not less than 1½ cents per bushel.

(d) *If delivery is made in less than carload quantities, after movement by rail or barge.* If your delivery, after any movement by rail or barge, is in a less than carload quantity, you shall add to your maximum price for a carload shipment, as computed in paragraph (a) your transportation cost, if any, and the appropriate one of the following markups:

(1) 2½ cents per bushel if delivered to a feeder in Area A, or

(2) 5½ cents per bushel if delivered to a feeder in Area B; or

(3) 1½ cents per bushel if delivered to any person other than a feeder or trucker-merchant: *Provided*, That, if, in making delivery, you do your hauling and, therefore, your transportation cost is the hauling allowance set forth in section 5 (b) (10) and if the distance you haul the corn is more than 60 miles, you shall not add the extra markups provided in this paragraph. The additional markups in this paragraph will not be subject to the limitation on markups provided in section 12 of this supplement. However, if your delivery is to a trucker-merchant, your maximum price shall not exceed your maximum price as computed in paragraph (a)

(e) *If delivery is made to an elevator or warehouse at a barge loading point.* If you deliver the corn to an elevator or warehouse which is within the switching, corporate, town or city limits in which a barge loading point is located, your maximum price per bushel, bulk, shall be the base price at such barge loading point.

(f) *If delivery is made by truck or other vehicle from the farm where grown to a store, feeder or processor.* If you deliver the corn from the farm where grown in a for-hire truck or other vehicle to a store, feeder or processor, your maximum price per bushel, bulk, shall be the base price at such farm, plus 2½ cents per bushel, and plus your transportation cost. (If you delivered in your own truck or other vehicle, you would come under the definition of "trucker-merchant" and price accordingly.)

(g) *If delivery is made in any manner, other than as provided for above.* The maximum price per bushel, bulk, for the sale by a country shipper of any lot of corn handled in any manner, not specified above, shall be the base price at the farm where grown plus 1½ cents per bushel.

Sec. 10. Maximum prices for sales by merchandisers. With the exception of persons acting as producers or country shippers, all sellers who deliver corn in any manner, other than as trucker-merchants or retailers, are "merchandisers" by definition. This section sets forth the maximum prices for the ordinary "merchandise" marketing transactions. All markups are subject to the limitations set forth in section 12 of this supplement unless they are specifically exempted from such limitations. To these prices, you may be entitled to add various charges which you may incur or allow-

ances for special handling of the grain under the rules provided in section 13 of this supplement. Subject to such additions, the maximum prices per bushel, bulk, for sales by a merchandiser are as follows:

(a) *If delivery is in a carload quantity.* For all deliveries of corn which you receive and deliver in a carload quantity, you calculate your maximum price either:

(1) By adding to your supplier's maximum price on the sale and delivery to you, or to the price of a withdrawal as determined under section 2.3 of Food Products Regulation No. 2, your transportation cost, and a markup of $1\frac{1}{4}$ cents per bushel; or

(2) If the corn has moved into a terminal basing point, you may use the terminal base point price in calculating your maximum price, in lieu of your supplier's maximum price, and add to it (i) all previously allowable added markups and elevation charges, (ii) your transportation cost from the terminal base point to the point of delivery and (iii) a markup of $1\frac{1}{4}$ cents per bushel.

(b) *If delivery is made to you by truck or other vehicle.*—(1) Except as provided in subparagraphs (2) and (3) if you receive any lot of corn from your supplier by truck or other vehicle and his maximum price on the sale and delivery to you exceeds the base price at the point where he delivered the corn to you less $1\frac{1}{4}$ cents per bushel, you must, if you reship the corn by rail or sell it in storage, use such base price less $1\frac{1}{4}$ cents per bushel in place of your supplier's maximum price and after such adjustment, you calculate your maximum price as provided in paragraph (a) of this section.

(2) If your supplier delivers the corn to you by truck or other vehicle at a terminal base point and his maximum price exceeds the terminal base price less $2\frac{1}{2}$ cents per bushel, you must, if you reship the corn by rail or vessel or sell it in storage, use such terminal base price less $2\frac{1}{2}$ cents per bushel in place of your supplier's maximum price. Your markup on deliveries in a carload quantity, when so received, shall be $2\frac{1}{2}$ cents per bushel. The limitations on markups, set forth in section 12, shall not apply to the markup provided in this sub-paragraph.

(3) If your supplier delivers the corn to you by truck or other vehicle at a barge loading point and if his maximum price on his sale to you exceeds the base price at the barge loading point, you must, if you reship the corn by barge or sell it in storage, use the barge loading point base price in place of your supplier's maximum price and after such adjustment you calculate your maximum price as provided in paragraph (a) of this section.

(c) *If delivery is in a less than carload quantity.* If you deliver any lot of corn in a less than carload quantity, your maximum price shall be calculated by adding:

(1) Your supplier's maximum price on the sale and delivery to you (or the price of a withdrawal, as determined under section 2.3 of Food Products Regulation No. 2), and

(2) Your transportation cost, and
(3) A markup of $1\frac{1}{4}$ cents per bushel; and

(4) The appropriate one of the following additional markups:

(i) Except as provided in (ii) below, $3\frac{3}{4}$ cents per bushel if delivered to a feeder in Area A, or

(ii) $6\frac{1}{4}$ cents per bushel if delivered to a feeder in Area B; or in Area A if the corn has been received by the merchandiser by rail car; or

(iii) $2\frac{3}{4}$ cents per bushel if delivered to any person other than a feeder or a trucker-merchant; or

(iv) $1\frac{1}{4}$ cents per bushel if delivered to a trucker-merchant;

Provided, That if you do your own hauling, and, therefore, your transportation cost is the hauling allowance set forth in section 5 (b) (10) and if the distance hauled is more than 60 miles, you shall not be permitted to add the extra markups provided in subparagraph (4) above, in such case. The markups provided in subparagraph (4) above will not be subject to the limitations on markups on carload shipments, as provided in section 12 of this supplement, but no more than one of such markups shall be added to the maximum price on the sale of any less than carload quantity except an additional markup on a sale to a feeder may be added to (4) (iii) above.

(d) *If delivery is made in storage.* If you deliver the corn to your customer in storage, you must either pay or have deducted from the payment of the maximum price to you all accrued storage and handling charges and the loading out charges. If your customer is also the warehouseman, such deduction for handling and loading cut shall be not less than 1 cent per bushel.

(e) *Additional markups if the corn is shipped by vessel on the Great Lakes, or by barge, south or east of Cairo, Illinois.* If you ship a lot of corn by vessel on the Great Lakes, or by barge, south or east of Cairo, Illinois, you may add to the maximum price, otherwise applicable, a markup of $1\frac{1}{4}$ cents per bushel. The extra markup, provided in this paragraph, is not subject to the limitations set forth in section 12 of this supplement.

SEC. 11. Maximum prices for purchases and sales by importers—(a) Definitions.

(1) "Importer" means, with respect to any lot of corn grown outside the United States, the first person who owns such lot after entry into the United States, and who sells it through his office located in the United States or who processes it at his plant located within the United States. When he sells the corn, the importer will be either a merchandiser, trucker-merchant, or retailer, according to the manner in which he sells.

(2) "Imported corn" means any lot of corn grown outside the United States which is either

(i) To be imported into the United States; or

(ii) Is still owned by the importer of such lot.

(3) "Cif" (cost, insurance, freight) means, with respect to the price of any lot of corn delivered by vessel, the price delivered alongside or on the vessel at the port where discharged, the seller having

paid all customary expenses to that point and also marine insurance and freight to the delivery port, together with any other fees or charges, if any, levied because of exportation. The buyer shall receive the corn, upon arrival, handle and pay for all subsequent movement of the corn, including taking deliver, from the vessel in accordance with bill of lading clauses and terms, pay all costs of landing and other expenses at the named point of destination.

(b) *Base prices.* (1) The base price per bushel, bulk, for imported corn which enters the United States by truck or other vehicle shall be the base price on domestic corn of the same grade and quality at the point of delivery.

(2) Base prices for imported corn entering the United States other than by truck or other vehicle via different points of entry shall be determined with reference to certain base points. The base points for the purposes of this supplement shall include the United States Atlantic ports, including Albany, New York, the Gulf ports, and the Pacific Coast ports, regularly used in connection with imports of grains by vessel into the United States, and where terminal elevator facilities are maintained for the unloading, storage, and transshipment by rail in carlots.

The base prices for imported corn, bulk, delivered by vessel to a port of discharge in the United States shall be as follows:

(1) Corn grading No. 1 or No. 2—\$1.25 per bushel; or

(2) Lower grades or qualities—\$1.25 per bushel less the appropriate discounts for lower grades as set forth in this supplement for domestic corn.

(c) *Maximum prices for sales by importers.* The maximum price, per bushel, bulk, for the sale of any imported corn shall be the sum of the following:

(1) The base price for the imported corn;

(2) Where incurred by the importer, the expense (not in excess of any published rate therefor) for any or all of the following:

(i) Taking delivery of the corn from vessel in accordance with the clauses and terms of the ocean bill of lading; and

(ii) Costs of landing, including lighterage and marine and out-turn insurance while in the lighter and

(iii) Clearing through customs, including any taxes and tolls (but excluding import duties) assessed against the corn at port of discharge; and

(iv) Inspection and weighing from the vessel; and

(v) Handling through elevator, warehouse or other facility into conveyance for inland transportation including cooping; and

(vi) If the importer ships the corn to any point in any state bordering on the Atlantic or Pacific Ocean or the Gulf of Mexico, or to any point in Vermont, Pennsylvania, West Virginia, Kentucky, Tennessee, Arkansas, Oklahoma, Idaho, Nevada, Utah, or Arizona, his transportation cost, if any, from the point of discharge to destination; and

(3) The appropriate one of the following markups:

	Cents per bushel
(i) If the importer sells the corn in a carload quantity.....	1 1/4
(ii) If the importer sells the corn in a less than carload quantity to any person other than a feeder or to a feeder in quantities of 30,000 pounds or more.....	2 1/2
(iii) If the importer sells the corn to a feeder in quantities of less than 30,000 pounds.....	5

Sec. 12. *Limitations on total markups of country shippers and merchandisers and on service charges of commission merchants and brokers which may be included in a maximum price.* In order to prevent undue accumulation of markups for distributive services, all markups which merchandisers may add under this supplement except the extra markups referred to in section 10 (c) (4) and section 10 (e) or under Food Products Regulation No. 2, and, also, all service charges of commission merchants and all merchandising markups in carload quantities of country shippers under Food Products Regulation No. 2 are subject to the limitations provided in this section. These limitations apply to the total of all such markups and of service charges for commission merchants.

(a) The maximum price for the sale of any lot of corn shall never include an amount in excess of 4 3/4 cents per bushel as a total of all merchandising markups and of all service charges for brokers and commission merchants, but this maximum of 4 3/4 cents per bushel shall be subject to the further zoning limitations as to transactions in Areas A and B.

(1) If you are the first purchaser in Area A of a carload quantity of corn originating or which has originated in Area B, on the sale to you such total shall not exceed 1 3/4 cents per bushel: *Provided*, That this zoning limitation shall not apply to sales in Area A by a selling office located in Area A of a merchandiser otherwise entitled to a greater markup under section 2.5 of Food Products Regulation No. 2.

(2) When corn is delivered to anyone in Area A, except as provided in (1) such total shall not exceed 3 cents per bushel.

(3) If you are the first purchaser in Area B of a carload quantity of corn originating in Area A, or of corn which has been marketed in Area A previously, on the sale to you, such total shall not exceed 3 cents per bushel: *Provided*, That this zoning limitation shall not apply to sales in Area B by a selling office located in Area B of a merchandiser otherwise entitled to a greater markup under section 2.5 of Food Products Regulation No. 2.

These are limitations on the total of markups and service charges which may be included in any maximum price. They may lessen, but will never increase, the amount of any single maximum markup or maximum service charge.

Sec. 13. *Rules relating to additions to maximum prices—(a) Maximum charges for services of brokers and commission merchants; also provision for adding such charges subject to limitations.*

(1) Notwithstanding the provisions of any other regulation, the maximum charge which a broker or a com-

mission merchant may charge for all services in connection with any purchase and sale of a lot of corn shall be as set forth below. These are maximum service charges regardless of whether the corn is sold at its maximum price and regardless of whether the markups may be added to any maximum price.

(i) *Brokers.* The maximum service charge for all services of a broker with respect to a purchase and sale of any lot of corn is 1/2 cent per bushel.

(ii) *Commission merchants.* The maximum service charge for all services of commission merchants with respect to a purchase and sale of any lot of corn is 1 1/4 cents per bushel.

(2) Subject to the limitations set forth in section 12 of this supplement, any seller may add the service charge of a broker and any seller may add the service charge of a commission merchant to the maximum price he would otherwise be entitled to charge: *Provided*, That the seller actually incurs such charge and provided that no maximum price shall ever include more than 1 cent per bushel for broker's service charges and 1 1/4 cents per bushel for commission merchant's charges.

(b) *Elevation charges which may be added to your maximum price.* (1) Except as provided in subparagraph (2) if corn is unloaded into an elevator or warehouse from a rail car, barge or vessel, the maximum price of the seller shall be increased by 1 cent per bushel, provided the seller has actually incurred or would otherwise bear the expense of such elevation or handling, including loading out into rail car, barge or vessel, except that if the seller is not the warehouseman and the expense he incurs or bears is less than 1 cent per bushel, he shall add to his maximum price only the actual amount so incurred or borne.

(2) When any lot of corn is transferred from rail cars or barge through an elevator or warehouse to lake vessel, the elevation or handling charges actually incurred by the seller (but not exceeding the charges in effect December 6, 1943) may be added to his maximum price: *Provided*, That if the corn is handled through an elevator or warehouse operated by the seller, he may add 1 cent per bushel.

(3) This paragraph (b) does not fix maximum prices which may be charged by warehousemen for elevating or handling corn belonging to another person. The amount of such charges is determined under the General Maximum Price Regulation.⁴

(c) *Inspection and weighing charges.* (1) Where to complete a contract of sale of corn official inspection is necessary, the cost thereof shall be borne by the seller.

(2) Where to complete a contract of sale of corn official weighing is necessary, the cost thereof may be born by either seller or buyer as the parties may agree: *Provided*, That if paid by the buyer, said expenditure shall not be added to the maximum price for any resale of said corn.

(d) *Sacks and sacking.* (1) When corn is sold in sacks furnished by the

seller, there may be added to the appropriate maximum price the reasonable market value of the sacks used (not exceeding any maximum price established thereon) plus a sacking charge of 3 cents per bushel.

(2) When corn is sold in sacks furnished by the buyer and the seller does the sacking, a sacking charge of 3 cents per bushel may be added to the appropriate maximum price.

(3) These charges may be added to the appropriate maximum price for succeeding sales while the corn is sold in sacks.

(e) *Carrying charges.* (1) "Carrying charges" are the charges which a seller is permitted to add to the appropriate maximum price for corn where the buyer requests deferment of delivery of the corn beyond the free time allowed under the terms of the contract of sale. Carrying charges cover maintenance of condition and grade, financing, insurance and storage, and they involve the assumption on the part of the seller of undertaking to make deferred delivery to the buyer according to the grade, quality and quantity of corn purchased by the buyer, at any time the buyer may select, after the expiration of the free time.

(2) In addition to the appropriate maximum prices for corn, a carrying charge of 1/2 of a cent, per bushel, per day, may be charged by the seller from the date of the expiration of the free time, under the contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or the date on which shipment or delivery is actually made, whichever is earlier: *Provided*, That, in all cases, the seller may have five days from the date of receipt of instructions within which to make shipment, and he may charge carrying charges accordingly.

(3) On any resale, the maximum price of the seller shall not be increased for any such carrying charge so added.

(4) This provision for the addition of carrying charges shall have no application to corn stored, or remaining, on the farm where grown.

(5) This paragraph (e) does not fix maximum prices which may be charged by warehousemen for storing corn belonging to another person. The amount of such charges is determined under the General Maximum Price Regulation.

(f) *Special services.* Under certain special conditions persons performing several marketing functions may add to their maximum price merchandising markups for special services. These markups, and the conditions under which they may be added, are set forth in section 2.5 of Food Products Regulation No. 2.

(g) *Drying service charges and shrinkage markups.* Inasmuch as the custom drying of corn in exact quantities to meet trade and railroad tariff requirements, and the requirements of the Office of Defense Transportation is impractical, sellers may artificially dry corn and sell the dried corn. Except as set forth in subparagraph (3) below, the maximum price of such artificially dried corn shall be the equivalent maximum price per bushel of wet corn before dry-

⁴ 9 F.R. 1385, 5163, 6106, 8150, 10193, 11274.

ing, based on the number of bushels of artificially dried corn actually delivered. The seller may add to his maximum price as computed:

(1) A markup for drying which shall not exceed the dryer's charge established under Revised Maximum Price Regulation No. 165⁶ for custom drying the number of bushels of wet corn of the moisture content used in calculating the seller's maximum price as described above; and

(2) A shrinkage loss markup which shall be computed by multiplying the maximum price per bushel of the wet corn by the difference between the weight of the wet corn and the weight of the artificially dried corn.

If actual weights are not available, the shrinkage loss shall be computed according to the following formula:⁷

(i) Multiply the number of bushels of wet corn by the percentage of dry matter in the wet corn; then

(ii) Divide the result of (i) by the percentage of dry matter in the dried corn; then

(iii) Subtract $\frac{1}{2}$ of one percent of the weight of the wet corn from the quotient reached in (ii). The result of this subtraction is the weight of the dried corn; then

(iv) Subtract the weight of the dried corn from the weight of the wet corn to determine the weight of the shrinkage loss.

(3) If the corn to be dried is from a commingled lot, the maximum price of the wet corn shall be determined pursuant to sections 2.2, 2.3 and 2.7 of Food Products Regulation No. 2.

(4) The markups provided for in this paragraph (g) shall not be subject to the limitations set forth in section 12 of this supplement.

(5) On resale, the seller's maximum price shall be based on the maximum price of the appropriate grade of the dried corn.

Sec. 14. *Separate invoicing of charges, markups and costs.* When any selling price equals or exceeds the base price adjusted for grade and quality at point of origin plus freight, or exceeds the base price adjusted for grade and quality at the terminal through which the shipment moves plus freight, all service charges, markups, elevation and handling costs, and transportation costs permitted in respect to distributors of carload quantities shall be separately stated on the invoice to each purchaser of a carload quantity.

APPENDIX A

TABLE I

(a) *Schedule of premiums and discounts over and under standard grade and quality.* The base price of the standard grade and quality, No. 2 corn, shall be adjusted for other grade and qualities by the following discounts:

(1) *Discounts for moisture.* The base price of corn containing over 15½ percent

moisture shall be the base price for a like grade of corn on a basis of all factors other than moisture, with the following adjustments for moisture content:

If the moisture content is over 15½ percent but is 17½ percent or less, deduct ½ cent per bushel for each ½ percent or fraction thereof by which the moisture content exceeds 15½ percent; and

If the moisture content is over 17½ percent, but 18% or less, deduct 2¼ cents per bushel; and

If the moisture content is over 18 percent but is 20 percent or less, deduct 2¾ cents per bushel, and in addition deduct 1 cent per bushel for each ½ percent (or fraction thereof) by which the moisture content exceeds 18 percent; and

If the moisture content is more than 20 percent, deduct 6¼ cents per bushel, and in addition deduct 1¼ cents per bushel for each ½ percent (or fraction thereof), by which the moisture content exceeds 20 percent.

(2) For factors other than moisture content:

(i) The base price for the standard grade and quality No. 2 corn shall be adjusted as follows for factors other than moisture:

Discount per bushel for grading:	Cents
No. 3	$\frac{1}{2}$
No. 4	1
No. 5	1½
Sample, up to 30% damaged grain except sour, weevily, heating and hot...	2

The discounts set forth in this subdivision (i) shall not be cumulative.

(ii) For corn carrying the following grade notations the following additional discounts shall be subtracted:

Notation:	Cents per bushel
Weevily	1
Sour	1
Heating	3
Hot	5
For damaged grain in excess of 30%.	1 cent for each additional 10% or portion thereof.

(3) *Premiums for special cleaned corn and No. 1 corn.* (a) Special cleaned corn shall be sold subject to the provisions of section 2.7 of Food Products Regulation No. 2, and may be priced at 2 cents over the equivalent grade of corn before being especially cleaned. This paragraph shall apply only to such corn for such ultimate special use which has been especially processed and cleaned and contains less than ½ percent of foreign material and cracked corn if natural corn, or 1½ percent of foreign material and cracked corn if kiln dried corn.

(b) If the corn grades No. 1, having a minimum test weight of 54 pounds per bushel and not over 14% moisture, ½ cent per bushel may be added to the applicable maximum price of the "standard grade" of corn.

TABLE II—DESCRIPTION OF "AREA A"

"Area A" includes the state of Iowa, that portion of the state of Missouri north of the Missouri River and the counties of Jackson and St. Louis and the City of St. Louis; the following counties of Kansas: Johnson, Douglas, Shawnee, Pottawatomie, Riley, Washington and Republic and all counties north and east thereof; the following counties of Nebraska: Nuckolls, Clay, Hamilton, Merrick, Nance, Boons, Antelope, and Knox and all counties east thereof; the following counties of South Dakota: Bon Homme, Hutchinson, Davison, Sanborn, Beadle, Kingsbury and Brookings and all counties south and east thereof; the following counties of Illinois: Madison, Montgomery, Shelby, Cumberland, and Clark and all counties north thereof; the following counties of Indiana: Vigo, Clay, Putnam, Hendricks, Marion, Hamilton, Tipton, Howard, Miami,

Wabash, Kosciusko, and Elkhart and all counties north and west thereof; and the following counties of Minnesota: Big Stone, Swift, Kandiyohi, Meeker, Wright, Anoka and Washington and all counties south thereof; and any barge loading point on the Illinois, Ohio and Mississippi Rivers north and east of Cairo, Illinois.

TABLE III—BASE PRICES AT BARGE LOADING POINTS

Barge loading point:	Price per bushel
Morris, Illinois	\$1.14¾
Seneca, Illinois	1.14¾
Ottawa, Illinois	1.14¾
La Salle, Illinois	1.14½
Peru, Illinois	1.14½
Hennepin, Illinois	1.14½
Henry, Illinois	1.14
Lacon, Illinois	1.14
Chillicothe, Illinois	1.14
Peoria, Illinois	1.15
Pekin, Illinois	1.15
Havana, Illinois	1.14½
Beardstown, Illinois	1.14½
Naples, Illinois	1.14½
Clinton, Iowa	1.14½
Davenport, Iowa	1.14½
Rock Island, Illinois	1.14½
Muscatine, Iowa	1.14½
New Boston, Illinois	1.14½
Keithsburg, Illinois	1.14½
Oquawka, Illinois	1.14½
Burlington, Iowa	1.14½
Dallas City, Illinois	1.14½
Meyer Light, Illinois	1.14½
Quincy, Illinois	1.14½
Stillwater, Minnesota	1.12¾
Hastings, Minnesota	1.13
Redwing, Minnesota	1.13
Winona, Minnesota	1.13½
La Crosse, Wisconsin	1.13½
Hennepin Canal barge loading points	1.11¾
Evansville, Indiana	1.10½
Warsaw, Illinois	1.14½

TABLE IV—BASE PRICES IN AREA B [State and county]

Alabama	Alabama—Con.
Autauga	\$1.35
Baldwin	1.34
Barbour	1.39
Bibb	1.35
Blount	1.34
Bullock	1.37
Butler	1.35
Calhoun	1.36
Chambers	1.37½
Cherokee	1.35
Chilton	1.35
Choctaw	1.33
Clarke	1.34
Clay	1.37
Cleburne	1.37
Coffee	1.36½
Colbert	1.30
Conecuh	1.35
Coosa	1.36
Covington	1.36
Crenshaw	1.36
Cullman	1.33½
Dale	1.38
Dallas	1.35
DeKalb	1.35
Elmore	1.36
Escambia	1.35
Etowah	1.35
Fayette	1.33½
Franklin	1.30
Geneva	1.37½
Greene	1.34
Hale	1.34
Henry	1.39
Houston	1.29½
Jackson	1.34
Jefferson	1.33½
Lamar	1.32
Lauderdale	1.32
Lawrence	1.32
Lee	1.39
Limestone	1.33
Lowndes	1.35
Macon	1.37
Madison	1.34
Marengo	1.34
Marion	1.31½
Marshall	1.34
Mobile	1.34
Monroe	1.35
Montgomery	1.35
Morgan	1.33½
Perry	1.35
Pickens	1.33
Pike	1.37
Randolph	1.37
Russell	1.30
Saint Clair	1.34½
Shelby	1.35
Sumter	1.33
Talladega	1.37
Tallapoosa	1.37½
Tuscaloosa	1.34
Walker	1.33½
Washington	1.33
Wilcox	1.35
Winston	1.32
Arizona	
Apache	\$1.27
Cochise	1.37
Coconino	1.37
Gila	1.37
Graham	1.37
Greenlee	1.37
Maricopa	1.37
Mohave	1.37
Navajo	1.37
Pima	1.37
Pinal	1.37
Santa Cruz	1.37
Yavapai	1.37
Yuma	1.37

⁶ 8 F.R. 7439, 9107, 9411, 11173, 12040, 12969, 13211, 13667.

⁷ The above formula is that formula prescribed in U. S. D. A.—Bureau of Plant Industry Circular No. 32 "Moisture Content & Shrinkage in Grain."

Arkansas

Arkansas	\$1.24½
Ashley	1.24½
Baxter	1.20½
Benton	1.20
Boone	1.20
Bradley	1.24½
Calhoun	1.24½
Carroll	1.20
Chicot	1.24½
Clark	1.24½
Clay	1.22½
Cleburne	1.23½
Cleveland	1.24½
Columbia	1.24½
Conway	1.23½
Craighead	1.23½
Crawford	1.21
Crittenden	1.23½
Cross	1.23½
Dallas	1.24½
Desha	1.24½
Drew	1.24½
Faulkner	1.23½
Franklin	1.21½
Fulton	1.20½
Garland	1.24½
Grant	1.24½
Greene	1.23
Hempstead	1.24½
Hot Spring	1.24½
Howard	1.24½
Independence	1.23
Izard	1.22
Jackson	1.23½
Jefferson	1.24½
Johnson	1.22½
Lafayette	1.24½
Lawrence	1.23
Lee	1.24½
Lincoln	1.24½
Little River	1.23½
Logan	1.22½
Lonoke	1.24½
Madison	1.21
Marion	1.20½
Miller	1.25
Mississippi	1.23
Monroe	1.24½
Montgomery	1.24½
Nevada	1.24½
Newton	1.21½
Ouachita	1.24½
Perry	1.23½
Philips	1.24½
Pike	1.24½
Poinsett	1.23½
Polk	1.23½
Pope	1.23
Prairie	1.24½
Pulaski	1.24½
Randolph	1.21½
St. Francis	1.23½
Saline	1.24½
Scott	1.22½
Searcy	1.22
Sebastian	1.22
Sevier	1.23½
Sharp	1.21
Stone	1.22
Union	1.24½
Van Buren	1.23½
Washington	1.21
White	1.23½
Woodruff	1.23½
Yell	1.23
- California	
All counties	1.43

Adams	1.19
Alamosa	1.28
Arapahoe	1.19
Archuleta	1.33
Baca	1.22
Bent	1.21
Boulder	1.20

Chaffee	\$1.30
Cheyenne	1.17
Clear Creek	1.25
Conejos	1.28
Costilla	1.28
Crowley	1.20
Custer	1.25
Delta	1.35
Denver	1.19
Dolores	1.35
Douglas	1.20
Eagle	1.35
Elbert	1.18
El Paso	1.20
Fremont	1.23
Garfield	1.35
Gilpin	1.25
Grand	1.25
Gunnison	1.33
Hinsdale	1.33
Huerfano	1.24
Jackson	1.25
Jefferson	1.20
Kiowa	1.18
Kit Carson	1.15
Lake	1.30
La Plata	1.35
Larimer	1.20
Las Animas	1.22½
Lincoln	1.17
Logan	1.15
Mesa	1.35
Mineral	1.33
Moffat	1.35
Montezuma	1.35
Montrose	1.35
Morgan	1.17
Otero	1.21
Ouray	1.35
Park	1.25
Phillips	1.13
Pitkin	1.35
Prowers	1.20
Pueblo	1.21
Rio Blanco	1.35
Rio Grande	1.28
Routt	1.30
Saguache	1.28
San Juan	1.35
San Miguel	1.35
Sedgwick	1.13
Summit	1.30
Teller	1.25
Washington	1.16
Weld	1.19
Yuma	1.15

All counties 1.32

All counties 1 30

District of

Florida

Bay	1.40½
Calhoun	1.41
Escambia	1.34
Gulf	1.41
Holmes	1.38
Jackson	1.40
Okaloosa	1.36
Santa Rosa	1.34
Walton	1.38
Washington	1.40
All other counties	1.42

Banks -----	1.38
Barrow -----	1.38
Bartow -----	1.37
Butts -----	1.39
Carroll -----	1.38
Catoosa -----	1.36

Chattooga	\$1.36
Cherokee	1.37
Clarke	1.39
Clayton	1.38
Cobb	1.37
Coweta	1.38
Dade	1.35
Dawson	1.38
De Kalb	1.37
Douglas	1.37
Elbert	1.39
Fannin	1.37
Fayette	1.38
Floyd	1.36
Forsyth	1.38
Franklin	1.39
Fulton	1.37
Gilmer	1.37
Gordon	1.37
Gwinnett	1.38
Habersham	1.39
Hall	1.39
Haralson	1.37
Harris	1.39
Hart	1.39
Heard	1.38
Henry	1.38
Jackson	1.38
Lamar	1.39
Lumpkin	1.38
Madison	1.39
Meriwether	1.39
Murray	1.38
Muscogee	1.39
Newton	1.39
Oconee	1.39
Paulding	1.37
Pickens	1.37
Pike	1.39
Polk	1.37
Rabun	1.39
Rockdale	1.38
Spalding	1.39
Stephens	1.39
Talbot	1.39
Towns	1.38
Troup	1.39
Union	1.38
Upson	1.39
Walker	1.36
Walton	1.39
White	1.38
Whitefield	1.36
All other counties	1.41

Bannock	1.37
Bear Lake	1.37
Bingham	1.37
Blaine	1.37
Bonneville	1.37
Butte	1.37
Camas	1.37
Caribou	1.37
Cassia	1.37
Clark	1.37
Custer	1.37
Franklin	1.37
Fremont	1.37
Gooding	1.37
Jefferson	1.37
Jerome	1.37
Lemhi	1.37
Lincoln	1.37
Madison	1.37
Mindoka	1.37
Oneida	1.37
Power	1.37
Teton	1.37

Alexander ..	1.19
Bond.....	1.12 1/2
Clay.....	1.13

Clinton	61.14
Crawford	1.11½
Edwards	1.14½
Efingham	1.11½
Fayette	1.11½
Franklin	1.10
Gallatin	1.17
Hamilton	1.16
Hardin	1.18
Jackson	1.17
Jasper	1.11½
Jefferson	1.14½
Johnson	1.18
Lawrence	1.13
Marion	1.13
Massac	1.19
Monroe	1.14½
Perry	1.16
Pope	1.18
Pulaski	1.19
Randolph	1.16
Richland	1.13
Saint Clair	1.14½
Saline	1.17
Union	1.18
Wabash	1.14½
Washington	1.14½
Wayne	1.14½
White	1.16
Williamson	1.17
All other counties in Illinois are in	
Area A.	

Adams	1.14
Allen	1.14
Bart h o l o -	
mew	1.15
Blackford	1.14
Brown	1.14
Clark	1.17
Crawford	1.17
Davies	1.14
Dearborn	1.18
Decatur	1.15
De Kalb	1.14
Delaware	1.15
Dubois	1.15½
Fayette	1.16
Floyd	1.17
Franklin	1.16½
Gibson	1.14½
Grant	1.13
Greene	1.13
Hancock	1.14
Harrison	1.17
Henry	1.15
Huntington	1.13
Jackson	1.15
Jay	1.15
Jefferson	1.17½
Jennings	1.16
Johnson	1.14
Knox	1.13
Lagrange	1.13
Lawrence	1.14
Madison	1.14
Martin	1.14
Monroe	1.14
Morgan	1.13
Noble	1.13
Ohio	1.18
Orange	1.15½
Owen	1.13
Perry	1.17
Pike	1.14½
Pocey	1.16
Randolph	1.16
Ripley	1.16½
Rush	1.15
Scott	1.16
Shelby	1.14
Spencer	1.17
Stauben	1.14

Sullivan	\$1.12
Switzerland	1.18
Union	1.16
Vander-	
burgh	1.16
Warlick	1.16
Washington	1.15½
Wayne	1.16
Wells	1.14
Whitley	1.13
All other		
counties		
in Indiana		
are in Area		
A.		

Allen	1.12
Anderson	1.10
Barber	1.14½
Barton	1.10
Bourbon	1.13
Butler	1.11
Chase	1.03
Chautauqua	1.13
Cherokee	1.17
Cheyenne	1.14
Clark	1.17
Clay	1.06
Cloud	1.05½
Coffey	1.03
Comanche	1.16
Cowley	1.13
Crawford	1.15

Russell	31.03½
Saline	1.03
Scott	1.15
Sedgwick	1.11½
Seward	1.19½
Sheridan	1.11½
Sherman	1.15
Smith	1.05
Stafford	1.11½
Stanton	1.20
Stevens	1.20½
Sumner	1.13
Thomas	1.13
Trego	1.11
Wabunsee	1.05
Wallace	1.16
Wichita	1.16
Wilson	1.13
Woodson	1.11
All other counties in Kansas are in Area A.	

Adair	1.25
Allen	1.25
Anderson	1.22
Ballard	1.20
Barren	1.24
Bath	1.26
Bell	1.32
Bacon	1.20
Bourbon	1.24
Boyd	1.26
Boyle	1.24
Bracken	1.22
Breathitt	1.32
Breckinridge	1.18
Bullitt	1.18
Butler	1.21
Caldwell	1.20
Callaway	1.22
Campbell	1.20
Carlisle	1.21
Carroll	1.19
Carter	1.26
Casey	1.25
Christian	1.22
Clark	1.26
Clay	1.30
Clinton	1.20
Crittenden	1.19
Cumberland	1.20
Davless	1.17
Edmonson	1.22
Elliott	1.23
Estill	1.23
Fayette	1.24
Fleming	1.24
Floyd	1.30
Franklin	1.22
Fulton	1.21
Gallatin	1.19
Garrard	1.26
Grant	1.20
Graves	1.21
Grayson	1.20
Green	1.24
Greenup	1.24
Hancock	1.18
Hardin	1.20
Harlan	1.32
Harrison	1.22
Hart	1.22
Henderson	1.17
Henry	1.20
Hickman	1.21
Hopkins	1.21
Jackson	1.23
Jefferson	1.18
Jessamine	1.25
Johnson	1.23
Kenton	1.20
Knott	1.32
Knox	1.32

Kentucky—Con.

Larue	.....	\$1.22
Laurel	.....	1.29½
Lawrence	.....	1.27
Lee	.....	1.30
Leslie	.....	1.32
Letcher	.....	1.32
Lewis	.....	1.24
Lincoln	.....	1.26
Livingston	.....	1.19
Logan	.....	1.23
Lyon	.....	1.20½
McCracken	.....	1.20
McCreary	.....	1.29
McLean	.....	1.19
Madison	.....	1.26
Magoffin	.....	1.30
Marion	.....	1.22
Marshall	.....	1.20½
Martin	.....	1.28
Mason	.....	1.23
Meade	.....	1.18½
Menifee	.....	1.28
Mercer	.....	1.24
Metcalf	.....	1.25
Monroe	.....	1.25
Montgomery	.....	1.26
Morgan	.....	1.28
Muhlenberg	.....	1.21
Nelson	.....	1.20
Nicholas	.....	1.24
Ohio	.....	1.19
Oldham	.....	1.18½
Owen	.....	1.20
Owsley	.....	1.30
Pendleton	.....	1.22
Perry	.....	1.32
Pike	.....	1.30
Powell	.....	1.28
Pulaski	.....	1.27
Robertson	.....	1.23
Rockcastle	.....	1.28
Rowan	.....	1.26
Russell	.....	1.27
Scott	.....	1.22
Shelby	.....	1.20
Simpson	.....	1.24
Spencer	.....	1.20
Taylor	.....	1.24½
Todd	.....	1.23
Trigg	.....	1.22
Trimble	.....	1.18½
Union	.....	1.18½
Warren	.....	1.23
Washington	.....	1.22
Wayne	.....	1.29
Webster	.....	1.19½
Whitley	.....	1.31
Wolfe	.....	1.30
Woodford	.....	1.24

Acadia	1.28
Allen	1.28
Ascension	1.30
Assumption	1.28
Avoyelles	1.28
Beauregard	1.28
Blenville	1.25
Bossier	1.25
Caddo	1.25
Calcasieu	1.28
Caldwell	1.26½
Cameron	1.28
Catahoula	1.26½
Claiborne	1.25
Concordia	1.26½
De Soto	1.26½
East Baton Rouge	1.28

Jefferson	
Davis	\$1.28
Lafayette	1.28
Lafourche	1.31
La Salle	1.26½
Lincoln	1.25
Livingston	1.30
Madison	1.25
Morehouse	1.25
Natchitoches	1.26½
Orleans	1.32
Ouachita	1.25
Plaquemines	1.32
Pointhead	
Coupee	1.29
Rapides	1.28
Red River	1.26½
Richland	1.25
Sabine	1.26½
St. Bernard	1.32
St. Charles	1.31
St. Helena	1.31
St. James	1.31
St. John The Baptist	1.31
St. Landry	1.28
St. Martin	1.28
St. Mary	1.28
St. Tammany	1.32
Tangipahoa	1.32
Tensas	1.26½
Terrebonne	1.31
Union	1.25
Vermillion	1.28
Vernon	1.28
Washington	1.32
Webster	1.25
West Baton Rouge	1.29
West Carroll	1.25
West Feliciana	1.30
Winn	1.26½

All counties_ 1.32

Allegany	1.29
Ann Arundel	1.30
Baltimore	1.30
Baltimore	
City	1.30
Calvert	1.30
Caroline	1.30
Carroll	1.30
Cecil	1.30
Charles	1.30
Dorchester	1.30
Frederick	1.30
Garrett	1.29
Harford	1.30
Howard	1.30
Kent	1.30
Montgomery	1.30
Prince	
George	1.30
Queen	
Annes	1.30
Saint	
Marys	1.30
Somerset	1.30
Talbot	1.30
Washington	1.30
Wicomico	1.30
Worcester	1.30

All counties_	1.32
<i>Michigan</i>	
Alcona -----	1.19
Alger -----	1.17
Allegan -----	1.13½
Alpena -----	1.20
Antrim -----	1.20
Arenac -----	1.18

Baraga	\$1. 16
Barry	1. 14½
Bay	1. 18
Benzie	1. 18
Berrien	1. 12
Branch	1. 14
Calhoun	1. 14½
Cass	1. 13
Charlevoix	1. 20
Cheboygan	1. 20
Chippewa	1. 20
Clare	1. 18
Clinton	1. 16
Crawford	1. 19
Delta	1. 17
Dickinson	1. 15
Eaton	1. 15½
Emmet	1. 20
Genesee	1. 17½
Gladwin	1. 18
Gogebic	1. 15
Grand Traver-		
se	1. 18
Graziot	1. 17
Hillsdale	1. 15
Houghton	1. 16
Huron	1. 18
Ingham	1. 16
Ionia	1. 16
Iosco	1. 18½
Iron	1. 15
Isabella	1. 17½
Jackson	1. 15½
Kalamazoo	1. 13½
Kalkaska	1. 18½
Kent	1. 15
Keweenaw	1. 17
Lake	1. 16½
Lapeer	1. 18
Leelanau	1. 18½
Lenawee	1. 16
Livingston	1. 17
Luce	1. 20
Mackinac	1. 20
Macomb	1. 18
Manistee	1. 17
Marquette	1. 16
Mason	1. 16½
Mecosta	1. 17
Menominee	1. 15
Midland	1. 17½
Missaukee	1. 18
Monroe	1. 17
Montcalm	1. 16½
Montmorency	1. 20
Muskegon	1. 15
Mewaygo	1. 16½
Oakland	1. 18
Oceana	1. 16½
Ogemaw	1. 18½
Ontonagon	1. 18
Osceola	1. 17
Oscoda	1. 19
Otsego	1. 20
Ottawa	1. 14
Presque Isle	1. 20
Roscommon	1. 18½
Saginaw	1. 17½
Saint Clair	1. 18
Saint Joseph	1. 13
Sanilac	1. 18
Schoolcraft	1. 18
Shiawassee	1. 17
Tuscola	1. 18
Van Buren	1. 12½
Washtenaw	1. 16½
Wayne	1. 17½
Wexford	1. 17½

Altkin-----	1.12
Becker-----	1.10
Beltrami---	1.14
Benton-----	1.09½
Carlton-----	1.13
Cass-----	1.11
Chisago-----	1.09

Clay-----	\$1.09
Clearwater _	1.12
Cook-----	1.17
Crow Wing _	1.11
Douglas-----	1.07
Grant-----	1.06
Hubbard-----	1.11
Isanti-----	1.09
Itasca-----	1.13
Kanabac-----	1.10
Kittson-----	1.16
Koochiching _	1.15
Lake-----	1.16
Lake of the Woods-----	1.16
Mahnomen-----	1.11
Marshall-----	1.14
Mille Lacs _	1.10
Morrison-----	1.09½
Norman-----	1.10
Otter Tail _	1.09
Pennington _	1.13
Pine-----	1.11
Polk-----	1.12
Pope-----	1.06
Red Lake-----	1.12
Roseau-----	1.16
Saint Louis _	1.15
Sherburne _	1.08
Stearns-----	1.07
Stevens-----	1.05½
Todd-----	1.08
Traverse-----	1.05
Wadena-----	1.10
Wilkin-----	1.07
All other counties in Minne- sota are in Area A.	

Adams	1.29
Alcorn	1.26½
Amite	1.30½
Attala	1.31½
Benton	1.26
Bolivar	1.27
Calhoun	1.29
Carroll	1.30
Chickasaw	1.30
Choctaw	1.31½
Claborne	1.29½
Clarke	1.32½
Clay	1.31½
Coahoma	1.26½
Copiah	1.31
Covington	1.32½
De Soto	1.25
Forrest	1.32½
Franklin	1.30½
George	1.33
Greene	1.33
Grenada	1.29
Hancock	1.33
Harrison	1.34
Hinds	1.30
Holmes	1.31
Humphreys	1.30
Issaquena	1.27½
Itawamba	1.30
Jackson	1.34
Jasper	1.32
Jefferson	1.29½
Jefferson Davis	1.32½
Jones	1.32½
Kemper	1.32½
Lafayette	1.27½
Lamar	1.32½
Lauderdale	1.32½
Lawrence	1.32½
Leake	1.32
Lee	1.30
Leflore	1.29½
Lincoln	1.32½
Lowndes	1.31½
Madison	1.32
Marion	1.32½
Marshall	1.26

Monroe	\$1.31
Montgomery	1.30
Neshoba	1.32
Newton	1.32
Okubee	1.31
Noxubeha	1.31
Panola	1.27
Pearl River	1.33
Perry	1.32
Pike	1.32
Pontotoc	1.29
Prentiss	1.28
Quitman	1.27
Rankin	1.32
Scott	1.32
Sharkey	1.29
Simpson	1.32
Smith	1.32
Stone	1.33
Sunflower	1.29
Tallahatchie	1.28
Tate	1.26
Tippah	1.26
Tishomingo	1.28
Tunica	1.26
Union	1.28
Walthall	1.32
Warren	1.28
Washington	1.27
Wayne	1.32
Webster	1.30
Wilkinson	1.29
Winston	1.31
Yalobusha	1.28
Yazoo	1.31

Barry	1.19
Barton	1.15
Bates	1.11
Benton	1.13
Bollinger	1.18
Butler	1.21
Camden	1.14
Cape Girardeau	1.17
Carter	1.19
Cass	1.09
Cedar	1.13
Christian	1.17
Cole	1.11
Cooper	1.11
Crawford	1.14
Dade	1.15
Dallas	1.14
Dent	1.16
Douglas	1.18
Dunklin	1.22
Franklin	1.13
Gasconade	1.12
Greene	1.15
Henry	1.11
Hickory	1.13
Howell	1.19
Iron	1.17
Jasper	1.17
Jefferson	1.14
Johnson	1.10
Laclede	1.15
Lafayette	1.08
Lawrence	1.07
McDonald	1.19
Madison	1.18
Marles	1.13
Miller	1.13
Mississippi	1.19
Moniteau	1.11
Morgan	1.12
New Madrid	1.20
Newton	1.18
Oregon	1.19
Osage	1.11
Ozark	1.19
Pemiscot	1.21
Perry	1.16
Pettis	1.11
Phelps	1.15
Polk	1.14
Pulaski	1.15

Reynolds ----	\$1.17½
Ripley -----	1.20½
St. Clair ----	1.12
St. Francis --	1.16½
St. Genevieve --	1.15½
Saline -----	1.09½
Scott -----	1.18
Shannon ----	1.17½
Stoddard ----	1.19
Stone -----	1.19½
Taney -----	1.19
Texas -----	1.17
Vernon -----	1.13
Washington --	1.15½
Wayne -----	1.19½
Webster ----	1.18
Wright -----	1.16½
All other counties in Missouri are A.	

Beaverhead.....	1.37
Big Horn.....	1.22
Blaine.....	1.27
Broadwater.....	1.35
Carbon.....	1.25
Cartor.....	1.18
Cascade.....	1.34
Chouteau.....	1.30
Custer.....	1.20
Daniels.....	1.20
Dawson.....	1.20
Deer Lodge.....	1.37
Fallon.....	1.18
Fergus.....	1.27
Flathead.....	1.37
Gallatin.....	1.35
Garfield.....	1.22
Glacier.....	1.35
Golden Valley.....	1.27
Granite.....	1.37
Hill.....	1.30
Jefferson.....	1.37
Judith Basin.....	1.30
Lake.....	1.37
Lewis and Clark.....	1.37
Liberty.....	1.32
Lincoln.....	1.37
McCone.....	1.20
Madison.....	1.37
Meagher.....	1.33
Mineral.....	1.37
Missoula.....	1.37
Musselshell.....	1.24
Park.....	1.32
Petroleum.....	1.24
Phillips.....	1.24
Pondera.....	1.34
Powder River.....	1.20
Powell.....	1.37
Prairie.....	1.20
Ravalli.....	1.37
Richland.....	1.18
Roosevelt.....	1.19
Rosebud.....	1.22
Sanders.....	1.37
Sheridan.....	1.19
Silver Bow.....	1.37
Stillwater.....	1.27
Sweet Grass.....	1.30
Teton.....	1.34
Toole.....	1.34
Treasure.....	1.22
Valley.....	1.22
Wheatland.....	1.31
Wibaux.....	1.18
Yellowstone.....	1.24

Adams.....	1.04
Arthur	1.11
Banner.....	1.17
Blaine.....	1.09
Box Butte...	1.15

Nebraska—Con.

Boyd	.....	\$1.04
Brown	.....	1.08
Buffalo	.....	1.06½
Chase	.....	1.11
Cherry	.....	1.10
Cheyenne	.....	1.15
Custer	.....	1.08
Dawes	.....	1.15
Dawson	.....	1.08½
Deuel	.....	1.13
Dundy	.....	1.12
Franklin	.....	1.05½
Frontier	.....	1.09
Furnas	.....	1.08
Garden	.....	1.13
Garfield	.....	1.06½
Gosper	.....	1.08
Grant	.....	1.12½
Greeley	.....	1.05
Hall	.....	1.04½
Harlan	.....	1.06½
Hayes	.....	1.11
Hitchcock	.....	1.11
Holt	.....	1.04
Hooker	.....	1.11½
Howard	.....	1.04½
Kearney	.....	1.05½
Keith	.....	1.11
Keyapaha	.....	1.07
Kimball	.....	1.17
Lincoln	.....	1.10
Logan	.....	1.09
Loup	.....	1.07
McPherson	.....	1.10
Morrill	.....	1.15
Perkins	.....	1.11
Phelps	.....	1.06½
Redwillow	.....	1.09½
Rock	.....	1.06
Scotts Bluff	.....	1.17
Sheridan	.....	1.12½
Sherman	.....	1.06
Sioux	.....	1.17
Thomas	.....	1.10
Valley	.....	1.06
Webster	.....	1.04
Wheeler	.....	1.04
All other counties in Nebraska are in Area A.		

Nevada

All counties_ 1.42

New Hampshire

All counties_ 1.32

New Jersey

All counties_ 1.31

New Mexico

Bernalillo	1.34
Catron	1.37
Chaves	1.32
Colfax	1.27
Curry	1.29
De Baca	1.30
Dona Ana	1.37
Eddy	1.34
Grant	1.37
Guadalupe	1.29
Harding	1.29
Hidalgo	1.37
Lee	1.32
Lincoln	1.33
Luna	1.37
McKinley	1.36
Mora	1.29
Otero	1.35
Quay	1.29
Rio Arriba	1.33
Roosevelt	1.30
Sandoval	1.33
San Juan	1.37
San Miguel	1.29
Santa Fe	1.31
Sierre	1.37

New Mexico—Con.

Soročco	----	\$1.36
Taos	-----	1.30
Torrance	---	1.32
Union	-----	1.26
Valencia	----	1.35

New York:

Albany	1.30
Allegany	1.29
Bronx	1.31
Broome	1.30
Cattaraugus	1.28
Cayuga	1.29
Chautauqua	1.27
Chemung	1.29
Chenango	1.30
Clinton	1.31
Columbia	1.30
Cortland	1.30
Delaware	1.30
Dutchess	1.30
Erie	1.28
Essex	1.31
Franklin	1.31
Fulton	1.31
Genesee	1.29
Greene	1.30
Hamilton	1.31
Herkimer	1.31
Jefferson	1.31
Kings	1.31
Lewis	1.31
Livingston	1.29
Madison	1.30
Monroe	1.29
Montgomery	1.30
Nassau	1.31
New York	1.31
Niagara	1.28
Oneida	1.30
Onondaga	1.30
Ontario	1.29
Orange	1.30
Orleans	1.29
Oswego	1.30
Otsego	1.30
Putnam	1.30
Queens	1.31
Rensselaer	1.30
Richmond	1.31
Rockland	1.30
Saint Lawrence	1.31
Saratoga	1.31
Schenectady	1.30
Schoharie	1.30
Schuyler	1.29
Seneca	1.29
Steuben	1.29
Suffolk	1.31
Sullivan	1.30
Tioga	1.29
Tompkins	1.29
Ulster	1.30
Warren	1.31
Washington	1.31
Wayne	1.29
Westchester	1.30
Wyoming	1.29
Yates	1.29

North Carolina

Alamance	1.36
Alexander	1.38
Alleghany	1.34
Anson	1.39
Ashe	1.35
Avery	1.37
Beaufort	1.35
Bertie	1.34
Bladen	1.36
Brunswick	1.38
Buncombe	1.36½
Burke	1.38
Cabarrus	1.39
Caldwell	1.37
Camden	1.33
Carteret	1.35
Caswell	1.34

North Carolina—Con.

Catawba	61.38
Chatham	1.37
Cherokee	1.37
Chowan	1.33
Clay	1.38
Cleveland	1.38
Columbus	1.38
Craven	1.35
Cumberland	1.36
Currituck	1.33
Dare	1.35
Davidson	1.37
Davie	1.37
Duplin	1.35
Durham	1.35
Edgecombe	1.34
Forsyth	1.36
Franklin	1.34
Gaston	1.39
Gates	1.33
Graham	1.37
Granville	1.33
Greene	1.35
Gulford	1.36
Halifax	1.33
Harnett	1.36
Haywood	1.37
Henderson	1.37½
Hertford	1.33
Hoke	1.37½
Hyde	1.35
Iredell	1.38
Jackson	1.38
Johnston	1.35
Jones	1.35
Lee	1.37
Lenoir	1.35
Lincoln	1.38
McDowell	1.37
Macon	1.38
Madison	1.36
Martin	1.35
Mecklenburg	1.39
Mitchell	1.36
Montgomery	1.39
Moore	1.38
Nash	1.24
New Hanover	1.35
Northampton	1.33
Onslow	1.35
Orange	1.35
Pamlico	1.35
Pasquotank	1.33
Pender	1.35
Perquimans	1.33
Person	1.33
Pitt	1.35
Polk	1.38
Randolph	1.38
Richmond	1.39
Robeson	1.38
Rockingham	1.34
Rowan	1.38
Rutherford	1.38
Sampson	1.35
Scotland	1.39
Stanly	1.39
Stokes	1.34
Surry	1.34
Swain	1.38
Transylvania	1.38
Tyrrell	1.35
Union	1.39
Vance	1.33
Wake	1.35
Warren	1.33
Washington	1.35
Watauga	1.37
Wayne	1.35
Wilkes	1.36
Wilson	1.35
Yadkin	1.36
Yancey	1.36

North Dakota

Adams.....	1.12½
Barnes.....	1.08
Benson.....	1.14
Billings.....	1.15

North Dakota—Con.

Bottineau	\$1.10
Bowman	1.15
Burke	1.17
Burleigh	1.10
Cass	1.03
Cavaller	1.10
Dickey	1.05½
Divide	1.17
Dunn	1.14
Eddy	1.12
Emmons	1.03½
Foster	1.11
Golden Valley	
ley	1.15
Grand Forks	1.12
Grant	1.11
Griggs	1.10
Hettinger	1.12½
Kidder	1.10
LaMoure	1.07
Logan	1.03
McHenry	1.14
McIntosh	1.07
McKenzie	1.15
McLean	1.12½
Mercer	1.10
Morton	1.10
Mountrail	1.15
Nelson	1.12
Oliver	1.11
Pembina	1.10
Pierce	1.14
Ramsey	1.10
Ransom	1.03½
Renville	1.10
Richard	1.03
Rolette	1.10
Sargent	1.05½
Sheridan	1.12
Sioux	1.03½
Slope	1.15
Stark	1.12½
Steele	1.10
Stutsman	1.03
Towner	1.10
Trall	1.10
Walsh	1.14
Ward	1.14
Wells	1.12
Williams	1.10

Ohio

Adams	1.22½
Allen	1.16½
Ashland	1.21
Ashtabula	1.25
Athens	1.25
Auglaize	1.10
Belmont	1.25
Brown	1.21
Butler	1.18
Carroll	1.25
Champaign	1.18
Clerk	1.19
Clermont	1.20
CClinton	1.20
Columbiana	1.25
Coshocton	1.22
Crawford	1.19
Cuyahoga	1.22
Darke	1.17
Defiance	1.15
Delaware	1.19
Erle	1.19
Fairfield	1.22
Fayette	1.20
Franklin	1.20½
Fulton	1.16
Galla	1.25
Geauga	1.23½
Greene	1.19
Guernsey	1.23½
Hamilton	1.18½
Hancock	1.17
Hardin	1.17
Harrison	1.25
Henry	1.16
Highland	1.21
Hocking	1.23½

Ohio—Con.

Holmes	\$1.22
Huron	1.19
Jackson	1.23½
Jefferson	1.25
Knex	1.20½
Lake	1.23½
Lawrence	1.24½
Licking	1.20½
Logan	1.17
Lorain	1.20½
Lucas	1.17
Madison	1.19
Maioning	1.25
Marion	1.18
Medina	1.22
Melgs	1.25
Mercer	1.15½
Miami	1.18
Monroe	1.25
Montgomery	1.18
Morgan	1.23½
Morrow	1.19
Muchingum	1.22
Noble	1.23½
Ottawa	1.18
Paulding	1.15
Perry	1.22
Pickaway	1.20½
Pike	1.22
Portage	1.23½
Preble	1.17
Putnam	1.16
Richland	1.20
Ross	1.21½
Sandusky	1.18
Scioto	1.23
Seneca	1.18
Shelby	1.17
Stark	1.23½
Summit	1.23½
Trumbull	1.25
Tuscarawas	1.23½
Union	1.18
Van Wert	1.15
Vinton	1.23½
Warren	1.19
Washington	1.25
Wayne	1.22
Williams	1.15
Wood	1.17
Wyandot	1.18

Oklahoma

Adair	1.21
Alfalfa	1.18
Atoka	1.24
Beaver	1.20
Beckham	1.23½
Blaine	1.20
Bryan	1.24½
Caddo	1.22
Canadian	1.20½
Carter	1.24½
Cherokee	1.21
Choctaw	1.24½
Cimarron	1.23
Cleveland	1.22
Coal	1.23½
Comanche	1.23½
Cotton	1.24½
Craig	1.18
Creek	1.17½
Custer	1.21½
Delaware	1.20
Dewey	1.20
Ellis	1.20
Garfield	1.17
Garvin	1.23
Grady	1.22
Grant	1.15
Greer	1.24½
Harmon	1.25½
Harper	1.18
Haskell	1.22
Hughes	1.21
Jackson	1.24½
Jefferson	1.24½
Johnson	1.23½

Oklahoma—Con.

Key	\$1.15
Kingfisher	1.19
Kiowa	1.24
Latimer	1.23½
Le Flore	1.23
Lincoln	1.19
Logan	1.19
Love	1.24½
McClain	1.23½
McCurtain	1.24
McIntosh	1.20½
Major	1.18
Marshall	1.24½
Mayes	1.20
Murray	1.24
Muskogee	1.23½
Noble	1.17
Nowata	1.16
Ochutsee	1.19
Oklahoma	1.21
Oklmulgee	1.18½
Osage	1.15
Ottawa	1.18½
Pawnee	1.16½
Payne	1.18½
Pittsburg	1.22
Pontotoc	1.22
Pottawatomie	1.21
Pushmataha	1.24
Roger Mills	1.22
Rogers	1.18
Seminole	1.20
Sequoyah	1.22
Stephens	1.23½
Texas	1.21½
Tillman	1.24½
Tulsa	1.17
Wagoner	1.19½
Washington	1.16
Washita	1.22
Woods	1.16½
Woodward	1.18½

Oregon

All counties 1.42

Pennsylvania

Adams	1.29
Allegheny	1.26½
Armstrong	1.27
Beaver	1.26
Bedford	1.23½
Berks	1.30
Blair	1.23½
Bradford	1.29
Bucks	1.30
Butler	1.25
Cambria	1.23
Cameron	1.28
Carbon	1.30
Centre	1.29
Chester	1.30
Clarion	1.27
Clearfield	1.28
Clinton	1.29
Columbia	1.30
Crawford	1.26
Cumberland	1.29
Dauphin	1.30
Delaware	1.31
Elk	1.28
Erie	1.26
Fayette	1.27
Forest	1.27
Franklin	1.29
Fulton	1.29
Greene	1.26
Huntingdon	1.29
Indiana	1.27½
Jefferson	1.27
Juniata	1.29
Lackawanna	1.30
Lancaster	1.30
Lawrence	1.26
Lebanon	1.30
Lehigh	1.30
Luzerne	1.30
Lycoming	1.29

Pennsylvania—Con.		South Dakota—Con.		Tennessee—Con.		Texas—Con.		Texas—Con.		Texas—Con.	
McKean.....	\$1.28	Meade.....	\$1.12½	Obion.....	\$1.22½	Dallam.....	\$1.24½	Lavaca.....	\$1.23	Travis.....	\$1.28
Mercer.....	1.26	Mellette.....	1.08	Overton.....	1.29	Dallas.....	1.25	Lee.....	1.28	Trinity.....	1.28
Mifflin.....	1.29	Pennington.....	1.13½	Perry.....	1.28	Dawson.....	1.32	Leon.....	1.26½	Tyler.....	1.28
Monroe.....	1.30	Perkins.....	1.12	Pickett.....	1.30	Deaf Smith.....	1.29	Liberty.....	1.28	Upshur.....	1.25
Montgomery.....	1.30	Potter.....	1.06	Polk.....	1.36	Delta.....	1.25	Limestone.....	1.26½	Upton.....	1.32
Montour.....	1.30	Roberts.....	1.05	Putnam.....	1.30	Denton.....	1.25	Lipscomb.....	1.21½	Uvalde.....	1.33
Northampton.....	1.30	Shannon.....	1.12	Rhea.....	1.34	De Witt.....	1.28	Live Oak.....	1.29	Val Verde.....	1.34
Northumberland.....	1.30	Spink.....	1.03	Roane.....	1.34	Dickens.....	1.28	Llano.....	1.28	Van Zandt.....	1.25
Perry.....	1.29	Stanley.....	1.08	Robertson.....	1.25	Dimmit.....	1.34	Loving.....	1.34	Victoria.....	1.28
Philadelphia.....	1.30	Sully.....	1.06	Rutherford.....	1.29	Donley.....	1.26	Lubbock.....	1.31½	Walker.....	1.28
Pike.....	1.30	Todd.....	1.08	Scott.....	1.31	Duval.....	1.32	Lynn.....	1.32	Waller.....	1.28
Potter.....	1.29	Tripp.....	1.06	Sequatchie.....	1.32	Eastland.....	1.26½	McCulloch.....	1.28	Ward.....	1.34
Schuylkill.....	1.30	Walworth.....	1.06	Sevier.....	1.37	Ector.....	1.34	McLennan.....	1.26½	Washington.....	1.28
Snyder.....	1.29	Washabaugh.....	1.10	Shelby.....	1.24	Edwards.....	1.32	McMullen.....	1.30	Webb.....	1.33
Somerset.....	1.28	Washington.....	1.12	Smith.....	1.27½	Ellis.....	1.26½	Madison.....	1.28	Wharton.....	1.28
Sullivan.....	1.29	Ziebach.....	1.10	Stewart.....	1.24	El Paso.....	1.37	Marion.....	1.25	Wheeler.....	1.23½
Susquehanna.....	1.30	All other counties in South Dakota are in Area A.		Sullivan.....	1.36	Erath.....	1.26½	Martin.....	1.32	Wichita.....	1.25
Tioga.....	1.29			Sumner.....	1.26	Falls.....	1.26½	Mason.....	1.28	Wibarger.....	1.25
Union.....	1.29			Tipton.....	1.24	Fannin.....	1.25	Matagorda.....	1.28	Willacy.....	1.34
Venango.....	1.26			Trousdale.....	1.27	Fayette.....	1.28	Maverick.....	1.34	Williamson.....	1.28
Warren.....	1.27			Unicoi.....	1.36	Fisher.....	1.26½	Medina.....	1.30	Wilson.....	1.28
Washington.....	1.26			Union.....	1.34	Floyd.....	1.30	Menard.....	1.28	Winkler.....	1.34
Wayne.....	1.30			Van Buren.....	1.32	Foard.....	1.25½	Midland.....	1.32	Wise.....	1.25
Westmoreland.....	1.27			Warren.....	1.30	Fort Bend.....	1.28	Milam.....	1.28	Wood.....	1.25
Wyoming.....	1.30			Washington.....	1.36	Franklin.....	1.25	Mills.....	1.26½	Yoakum.....	1.34
York.....	1.29			Wayne.....	1.30	Freestone.....	1.26½	Montague.....	1.28	Young.....	1.25
				Weakley.....	1.23	Frio.....	1.32	Montgomery.....	1.28	Zapata.....	1.34
				White.....	1.30	Gaines.....	1.34	Moore.....	1.24½	Zavala.....	1.34
				Williamson.....	1.28½	Galveston.....	1.28	Morris.....	1.25		
				Wilson.....	1.27½	Garza.....	1.30	Motley.....	1.28		
						Gillespie.....	1.30	N a c o g -			
						Glasscock.....	1.32	doches.....	1.26½		
						Goliad.....	1.28	Navarro.....	1.26½		
						Gonzales.....	1.28	Newton.....	1.28		
						Gray.....	1.24	Nolan.....	1.26½		
						Grayson.....	1.25	Nueces.....	1.30		
						Gregg.....	1.25	Ochiltree.....	1.21½		
						Grimes.....	1.28	Oldham.....	1.27½		
						Guadalupe.....	1.28	Orange.....	1.28		
						Hale.....	1.30	Palo Pinto.....	1.25		
						Hall.....	1.26	Panola.....	1.26½		
						Hamilton.....	1.26½	Parker.....	1.25		
						Hansford.....	1.23	Parmer.....	1.30		
						Hardeman.....	1.25	Pecos.....	1.34		
						Hardin					

TABLE IV—continued

Virginia—Con.	West Virginia—Con.	Wisconsin—Con.	Wyoming
King George \$1.30	Lewis..... \$1.29	Portage..... \$1.11	Albany..... \$1.22
King..... 1.30	Lincoln..... 1.29	Price..... 1.11½	Big Horn..... 1.25
William..... 1.30	Logan..... 1.31½	Racine..... 1.12	Campbell..... 1.20
Lancaster..... 1.30	McDowell..... 1.31½	Richland..... 1.03	Carbon..... 1.25
Lee..... 1.34	Marion..... 1.27	Rock..... 1.09	Converse..... 1.22
Loudoun..... 1.30	Marshall..... 1.26	Rusk..... 1.10½	Crook..... 1.18
Louis..... 1.30	Mason..... 1.26½	St. Croix..... 1.07½	Fremont..... 1.27
Lunenburg..... 1.31	Mercer..... 1.31½	Sauk..... 1.09	Goshen..... 1.20
Madison..... 1.30	Mineral..... 1.29	Sawyer..... 1.11½	Hot Springs..... 1.27
Mathews..... 1.30	Mingo..... 1.31½	Shawano..... 1.13	Johnston..... 1.22
Mecklenburg..... 1.31	Monongalia..... 1.27	Sheboygan..... 1.12	Laramie..... 1.20
Middlesex..... 1.30	Monroe..... 1.30	Taylor..... 1.10	Lincoln..... 1.37
Montgomery..... 1.30	Morgan..... 1.30	Trempealeau..... 1.06	Natrona..... 1.22
Nansemond..... 1.31	Nicholas..... 1.29	Vernon..... 1.06	Niobrara..... 1.18
Nelson..... 1.30	Ohio..... 1.25	Vilas..... 1.15	Park..... 1.27
New Kent..... 1.30	Pendleton..... 1.29	Walworth..... 1.10	Platte..... 1.22
Norfolk..... 1.31	Pleasants..... 1.26½	Washburn..... 1.11	Sheridan..... 1.22
Northampton..... 1.30	Pocahontas..... 1.29	Washington..... 1.10	Sublette..... 1.32
Northumber- land..... 1.30	Preston..... 1.28	Waukesha..... 1.10	Sweetwater..... 1.32
Nottoway..... 1.31	Putnam..... 1.27	Waupaca..... 1.12	Teton..... 1.32
Orange..... 1.30	Raleigh..... 1.30	Waushara..... 1.11	Uinta..... 1.37
Page..... 1.30	Randolph..... 1.29	Winnebago..... 1.11	Washakie..... 1.25
Patrick..... 1.32	Ritchie..... 1.28	Wood..... 1.10	Weston..... 1.10
Pittsylvania..... 1.32	Roane..... 1.28		
Powhatan..... 1.30	Summers..... 1.30		
Prince..... 1.31	Taylor..... 1.28		
Prince..... 1.31	Tucker..... 1.29		
George..... 1.31	Tyler..... 1.26½		
Princess..... 1.31	Upshur..... 1.29		
Anne..... 1.31	Wayne..... 1.28		
Prince Wil- liam..... 1.30	Webster..... 1.29		
Pulaski..... 1.30	Wetzel..... 1.26½		
Rappahan- nock..... 1.30	Wirt..... 1.23		
Richmond..... 1.30	Wood..... 1.26½		
Roanoke..... 1.30	Wyoming..... 1.31½		
Rockbridge..... 1.30			
Rockingham..... 1.30			
Russell..... 1.34			
Scott..... 1.34			
Shenandoah..... 1.30			
Smyth..... 1.33			
Southampton..... 1.31			
Spotsylvania..... 1.30			
Stafford..... 1.30			
Surry..... 1.31			
Sussex..... 1.31			
Tazewell..... 1.33			
Warren..... 1.30			
Warwick..... 1.30			
Washington..... 1.34			
Westmoreland..... 1.30			
Wise..... 1.34			
Wythe..... 1.32			
York..... 1.30			

Washington

All Counties..... 1.42

West Virginia

Barbour..... 1.29	Green..... 1.09
Berkeley..... 1.30	Green Lake..... 1.11
Boone..... 1.29	Iowa..... 1.09
Braxton..... 1.29	Iron..... 1.13
Brooke..... 1.25	Jackson..... 1.08
Cabell..... 1.27	Jefferson..... 1.10
Calhoun..... 1.28	Juneau..... 1.09
Clay..... 1.28	Kenosha..... 1.12
Doddridge..... 1.28	Kewaunee..... 1.14
Fayette..... 1.29	La Crosse..... 1.06
Gilmer..... 1.28	Lafayette..... 1.08½
Grant..... 1.29	Langlade..... 1.13
Greenbrier..... 1.29	Lincoln..... 1.12
Hampshire..... 1.29	Manitowoc..... 1.13
Hancock..... 1.25	Marathon..... 1.11
Hardy..... 1.29	Marquette..... 1.15
Harrison..... 1.28	Milwaukee..... 1.12
Jackson..... 1.26½	Monroe..... 1.08
Jefferson..... 1.30	Oconto..... 1.15
Kanawha..... 1.27	Oneida..... 1.13
	Outagamie..... 1.12
	Ozaukee..... 1.12
	Pepin..... 1.06
	Pierce..... 1.06
	Polk..... 1.09

Wisconsin—Con.	Wyoming
Portage..... \$1.11	Albany..... \$1.22
Price..... 1.11½	Big Horn..... 1.25
Racine..... 1.12	Campbell..... 1.20
Richland..... 1.03	Carbon..... 1.25
Rock..... 1.09	Converse..... 1.22
Rusk..... 1.10½	Crook..... 1.18
St. Croix..... 1.07½	Fremont..... 1.27
Sauk..... 1.09	Goshen..... 1.20
Sawyer..... 1.11½	Hot Springs..... 1.27
Shawano..... 1.13	Johnston..... 1.22
Sheboygan..... 1.12	Laramie..... 1.20
Taylor..... 1.10	Lincoln..... 1.37
Trempealeau..... 1.06	Natrona..... 1.22
Vernon..... 1.06	Niobrara..... 1.18
Vilas..... 1.15	Park..... 1.27
Walworth..... 1.10	Platte..... 1.22
Washburn..... 1.11	Sheridan..... 1.22
Washington..... 1.10	Sublette..... 1.32
Waukesha..... 1.10	Sweetwater..... 1.32
Waupaca..... 1.12	Teton..... 1.32
Waushara..... 1.11	Uinta..... 1.37
Winnebago..... 1.11	Washakie..... 1.25
Wood..... 1.10	Weston..... 1.10

NOTE: The record-keeping provisions of this supplement have been approved by the Bureau of the Budget, in accordance with the provisions of the Federal Reports Act of 1942.

This supplement shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator.

Approved: February 8, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-2822; Filed, Feb. 20, 1945;
11:43 a. m.]

Product	Type of container	Capacity of container	Addition (per cwt.)
Fresh, frozen and cured meats:			
(i) Overcoats hams.....	Nailed solid wood boxes CQD spec.....	70 lbs. or less.....	\$2.25
(ii) Overcoats loins.....	Nailed solid wood boxes CQD spec.....	70 lbs. or less.....	1.00
(iii) Cured Whitehires.....	Nailed solid wood boxes CQD spec.....	All sizes.....	1.40
(iv) Cured Whitehires.....	Crinkled paper and cellophane bags or other approved wrapper.....	All sizes.....	.40
(v).....	Nailed solid wood boxes CCC-CQD spec.....	70 lbs. or less.....	1.70
		81 to 125 lbs.....	1.00
		125 to 250 lbs.....	1.15

5. Subparagraph (7) of Schedule IV (c) of § 1364.35 is added to read as follows:

(7) To the prices for packer style dressed hogs sold to Commodity Credit Corporation determined in accordance with the provisions of § 1364.22 (g) (3) the following additions for wrapping may be added:

Wrapper	Addition per cwt.
(i) Crinkled paper with stockingette bag; osnaburg tubing; cotton sheeting bag; or two sheets of melamine crinkled paper and rope.....	\$0.50
(ii) Crinkled paper with osnaburg tubing, burlap tubing, or cotton sheeting bag.....	75

This amendment shall become effective February 20, 1945.

19 FR. 1996, 43083.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMFR 148; Amdt. 29]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Subparagraph (3) of § 1364.22 (g) is amended by changing the references following the word "paragraphs" to read as follows: "(c) (2) (c) (3) (c) (4), (c) (5) (c) (6) and (c) (7) of Schedule IV of Appendix A (§ 1364.35) "

2. Subparagraph (12) of § 1364.32 (a) is amended by changing the portion thereof which precedes the italicized word "Provided" to read as follows:

(12) "Certified dressed hog processor" means any person other than a war procurement agency who does not sell pork at retail except to his own employees or any person other than a war procurement agency who obtained more than half of his pork supply during the year 1941 by cutting up dressed hogs or hog carcasses:

3. Items (iii) (iii) (iv) (v) and (vi) under the subhead "Fresh, frozen and cured meats", and items (vii) (viii) (ix) (x) and (xi) under the subhead "Canned meats" in Schedule III (c) (2) of § 1364.35 are redesignated items (vi) (vii) (viii) (ix) and (x) and items (xi) (xii) (xiii) (xiv) and (xv) respectively.

4. Item (i) of Schedule III (c) (2) of § 1364.35 is amended, and new items (ii), (iii) (iv) and (v) of Schedule III (c) (2) of § 1364.35 are added to read as follows:

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2823; Filed, Feb. 20, 1945;
11:41 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418; Amdt. 42]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 418 is amended in the following respects:

18 FR. 9366.

3 In section 22 Table C Schedules 51 to 60 inclusive are amended to read as follows:

TABLE C—MAXIMUM PRICES FOR RETAILER OWNED COOPERATIVE SALES AND SALES BY WHOLESALERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALERS TO OTHER WHOLESALERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					April through October	November through March
51	Whitefish, Canadian (Coregonus clupeaformis) #	1	Round or gutted	Under 4 pounds--	\$0 20 1/2	\$0 22
		2	Fillets	4 pounds and over	33	42
		3	Round	All sizes	08 1/2	09
52	Tullibee-Canadian (Argyrosomus tullibee) or (Leucichthys tulleo) #	1	Round or gutted	All sizes	08 1/2	09 1/4
		2	Gutted	All sizes	21	24
53	Lake Trout Canadian (Cristiomer namaycush) #	1	Round or gutted	All sizes	40	46
		2	Fillets	All sizes	16	18 1/2
54	Yellow Pike Canadian (Stizostedion vitreum) #	1	Round or gutted	All sizes	18	21 1/2
		2	Headless and gutted	All sizes	30 1/2	40 1/2
55	Sucker Canadian (Fresh water) (Catostomidae species) #	1	Round	All sizes	06 1/2	06
		2	Fillets	All sizes	18	19 1/2
56	Pickarel Canadian (Jacks, Great Northern Pike or Grass Pike) (Esoc lucius) #	1	Round	All sizes	08	08 1/2
		2	Fillets	All sizes	10 1/2	11 1/2
57	Sauger, Canadian (Sand Pike) (Stizostedion canadense) #	1	Round	All sizes	20 1/2	24
		2	Fillets	All sizes	15 1/2	17 1/2
58	Yellow Perch, Canadian (Perca flavescens) #	1	Round	All sizes	29	32 1/2
		2	Fillets	All sizes	14 1/2	16

4 In section 22, Table D Schedules 51 to 60 inclusive are amended to read as follows:

TABLE D—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					April through October	November through March
51	Whitefish, Canadian (Coregonus clupeaformis) #	1	Round or gutted	Under 4 pounds--	\$0 21	\$0 23
		2	Fillets	4 pounds and over	39	43
		3	Round	All sizes	09 1/2	10
52	Tullibee-Canadian (Argyrosomus tullibee) or (Leucichthys tulleo) #	1	Round or gutted	All sizes	10 1/2	12 1/2
		2	Gutted	All sizes	22	25
53	Lake Trout, Canadian (Cristiomer namaycush) #	1	Round or gutted	All sizes	41	47
		2	Fillets	All sizes	17	19 1/2
54	Yellow Pike, Canadian (Stizostedion vitreum) #	1	Round or gutted	All sizes	20	23 1/2
		2	Headless and gutted	All sizes	37 1/2	47 1/2
55	Sucker, Canadian (Fresh water) (Catostomidae species) #	1	Round	All sizes	06 1/2	07
		2	Fillets	All sizes	19	20 1/2
56	Pickarel, Canadian (Jacks, Great Northern Pike or Grass Pike) (Esoc lucius) #	1	Round	All sizes	09	09 1/2
		2	Fillets	All sizes	11 1/2	12 1/2
57	Sauger, Canadian (Sand Pike) (Stizostedion canadense) #	1	Round	All sizes	21 1/2	24 1/2
		2	Fillets	All sizes	13	14 1/2
58	Yellow Perch, Canadian (Perca flavescens) #	1	Round	All sizes	16 1/2	18 1/2
		2	Fillets	All sizes	30	33 1/2
59		1	Round	All sizes	15 1/2	17

This amendment shall become effective February 20 1945

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos 9250 and 9328 I find that the

CHESTER BOWLES
Administrator.

1 Section 10 (b) is amended by inserting after the text a table to read as follows:

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					April through October	November through March
1	Whitefish Canadian (Coregonus clupeaformis) #	1	Round or gutted	Under 4 pounds--	\$0 16	\$0 18
		2	Round or gutted	4 pounds and over	20	22
2	Tullibee-Canadian (Argyrosomus tullibee) or (Leucichthys tulleo) #	1	Round	All sizes	06	06 1/2
		2	Gutted	All sizes	07 1/4	07 3/4
3	Lake Trout Canadian (Cristiomer namaycush) #	1	Round or gutted	All sizes	17	20
		2	Headless and gutted	All sizes	12	14
4	Yellow Pike Canadian (Stizostedion vitreum) #	1	Round or gutted	All sizes	15	17 1/2
		2	Fillets	All sizes	30 1/2	34 1/2
5	Sucker Canadian (Fresh water) (Catostomidae species) #	1	Round	All sizes	03	03 1/2
		2	Fillets	All sizes	14	16 1/2
6	Pickarel Canadian (Jacks, Great Northern Pike or Grass Pike) (Esoc lucius) #	1	Round	All sizes	05 1/2	06
		2	Headless and gutted	All sizes	07 1/2	08 1/2
7	Sauger, Canadian (Sand Pike) (Stizostedion canadense) #	1	Round	All sizes	10 1/2	11 1/2
		2	Fillets	All sizes	24	27 1/2
8	Yellow Perch Canadian (Perca flavescens) #	1	Round	All sizes	10 1/2	12

2 In section 22 Table B Schedules 51 to 60 inclusive are amended to read as follows:

TABLE B—MAXIMUM PRICES FOR PRIMARY FISH SHIPPER SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound	
					April through October	November through March
51	Whitefish, Canadian (Coregonus clupeaformis) #	1	Round or gutted	Under 4 pounds--	\$0 18 1/2	\$0 20 1/2
		2	Fillets	4 pounds and over	22 1/2	25 1/2
		3	Round	All sizes	35 1/2	39 1/2
52	Tullibee Canadian (Argyrosomus tullibee) or (Leucichthys tulleo) #	1	Round	All sizes	07 1/2	08
		2	Gutted	All sizes	08 1/2	10 1/4
53	Lake Trout Canadian (Cristiomer namaycush) #	1	Round or gutted	All sizes	19 1/4	22 1/2
		2	Fillets	All sizes	37 1/2	43 1/2
54	Yellow Pike, Canadian (Stizostedion vitreum) #	1	Round or gutted	All sizes	14 1/2	16 1/2
		2	Headless and gutted	All sizes	17 1/2	20 1/2
55	Sucker, Canadian (Fresh water) (Catostomidae species) #	1	Round	All sizes	04 1/2	05
		2	Fillets	All sizes	04 1/2	05 1/2
56	Pickarel Canadian (Jacks, Great Northern Pike or Grass Pike) (Esoc lucius) #	1	Round	All sizes	07	07 1/2
		2	Headless and gutted	All sizes	09 1/2	10 1/2
57	Sauger, Canadian (Sand Pike) (Stizostedion canadense) #	1	Round	All sizes	18 1/2	19 1/2
		2	Fillets	All sizes	11 1/2	12 1/2
58	Yellow Perch Canadian (Perca flavescens) #	1	Round	All sizes	14	16
		2	Fillets	All sizes	27	30 1/2
59		1	Round	All sizes	13	14 1/2

issuance of this amendment, insofar as it establishes increased maximum prices is necessary to aid in the effective prosecution of the war and in order to correct a gross inequity.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 45-2789; Filed, Feb. 20, 1945;
4:26 a. m.]

PART 1429—POULTRY AND EGGS

[2d RMFR 269,¹ Amdt. 2]

POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation No. 269 is amended in the following respects:

1. Section 2.3 (a) (1) is amended to read as follows:

(1) Each Regional Administrator is authorized to adjust the maximum base prices for poultry items as established by this regulation.

2. A new section 2.3 (b) (5) is added to read as follows:

(5) No adjustment may be made to any maximum base price for live poultry unless such adjustment has first been submitted in writing to, and approved in writing by, the War Food Administrator.

This amendment shall become effective February 24, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator.

Approved: February 19, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-2787; Filed, Feb. 19, 1945;
4:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[RMFR 165,^{1a} Incl. Amdts. 1-7]

SERVICES

This compilation of Revised Maximum Price Regulation 165 includes Amendment 7, effective February 26, 1945. The text added or amended by Amendment 7 is underscored.

Maximum Price Regulation No. 165 as amended covered only those services specifically listed therein. Most other services subject to price control were covered by the General Maximum Price Regulation, and a relatively small number by other OPA regulations. This revision brings under Revised Maximum Price Regulation No. 165 (Services) most of the services which were heretofore under the General Maximum Price Regulation.

A statement of the considerations involved in the issuance of this regulation has been filed with the Division of the Federal Register.³

Sec.

1. Services covered.
2. Prohibitions.
3. Prices previously established.
4. General pricing provisions.
5. Services which cannot be priced under section 4.
6. Pricing of seasonal services.
7. Central pricing.
8. Commodities.
9. Special pricing provision (long-term contracts, etc.).
10. Transfer of business; moving of business; chains.
11. Taxes.
12. Additional charges.
13. Sales slips; receipts.
14. Records; filing of statements; posting.
15. Violation.
16. Adjustments.
17. Adjustable pricing.
18. Petitions for amendment.
19. Procedure.
20. Amendments; supplementary service regulations; area orders.
21. Evasion.
22. Applicability; base dates for territories and possessions.
23. Definitions and explanations.
24. Delegation of authority.

AUTHORITY: (§ 1499.101) Issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. Services covered. This regulation covers all services previously covered by Maximum Price Regulation No. 165 as amended, Services, except as indicated below.

[Above sentence amended by Am. 3, 9 F.R. 11173, effective 9-14-44, and Am. 7, effective 2-28-45]

(a) Services exempted by Revised Supplementary Regulation No. 11.⁴

(b) Services sold to a government agency pursuant to (1) a secret contract or subcontract as provided in Supplementary Order No. 42,⁵ and (2) an emergency purchase subject to the conditions of § 4.3 (f) of Revised Supplementary Regulation No. 1.

(c) Services specifically covered by other OPA regulations.⁶

(d) The following services which remain under the General Maximum Price Regulation:

³ Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

⁴ 9 F.R. 4775, 5314, 5441, 5722, 7020, 8145, 10778, 13211, 15157.

⁵ 8 F.R. 4698, 11951.

⁶ Information as to these regulations may be obtained from OPA Regional and District Offices. Note particularly MPR 134 (Construction and Road Maintenance Equipment—Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Services); MPR 136 (Machines and Parts, and Machinery Services); MPR 251 (Construction and Maintenance Services, etc.); MPR 211 (Cotton Ginning Services and Bagging and Ties). See also Second Revised Supplementary Order No. 70, allowing sellers of services subject to more than one of the regulations listed therein to be covered by only one regulation.

(1) Transportation services of contract carriers;

(2) Storage, warehousing and terminal services, and services incident thereto.

(3) The furnishing of electricity, gas, light, heat, power or water when the furnishing thereof is not subject to the requirements set forth in paragraph (c) of Revised Supplementary Regulation No. 11, § 1499.46.

SEC. 2. Prohibitions. On and after August 1, 1944, regardless of any contract or other obligation:

[Above sentence amended by Am. 3, 9 F.R. 11173, effective 9-14-44]

(a) You may not sell any service covered by this regulation at a price higher than your maximum price.

(b) No person in the course of trade or business may buy any service covered by this regulation at a price higher than the maximum price.

Of course, you may charge lower prices than your maximum prices at any time.

SEC. 3. Prices previously established. This regulation supersedes Maximum Price Regulation No. 165 as amended—Services (MPR 165) and the General Maximum Price Regulation (GMPR), insofar as the GMPR dealt with services now covered by this regulation.

Since this regulation keeps certain of the basic pricing provisions of MPR 165 and the GMPR, many of your maximum prices under this regulation will be the same as those you properly established under MPR 165 and the GMPR.

In addition all supplementary regulations, supplementary service regulations, or orders issued by OPA under MPR 165 or the GMPR and prices established thereunder, and prices previously approved by OPA under paragraph (c) and (d) of § 1499.102 of MPR 165, remain in effect under this regulation.

However, the following maximum prices must be redetermined, since the methods by which they were determined under MPR 165 and the GMPR have been eliminated in this regulation: prices based on similarity to another service, prices based on your competitor's offering price, and prices determined by adjusting differentials between classes of purchasers.

SEC. 4. General pricing provisions. In determining your maximum price, use the first of the following provisions which applies to you. Your maximum price shall be:

(a) The highest price at which you supplied the same service in March 1942 to a purchaser of the same class.⁷ If, however, in March 1942 you used a rate or a pricing method to determine your price, you may continue to use your highest March 1942 rate or pricing method (using your highest March 1942 charges) to determine your maximum price for the same service, to a purchaser of the same class.⁸

(b) The highest price at which you offered to supply the same service for supply in March 1942 to a purchaser of the same class,⁹ if you did not actually sup-

⁷ Important! Be sure to read the definition of "purchaser of the same class." See section 23 (a) (10).

¹ 9 F.R. 15095, 10 F.R. 521.

^{1a} 9 F.R. 7439.

² 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

ply it in that month, or a price resulting from application of your highest March 1942 rate or pricing method (using your highest March 1942 charges to a purchaser of the same class) which would, by your usual trade practice, have been used by you had you supplied the service in that month.

(c) The maximum price of your closest competitor for the same service to a purchaser of the same class,⁷ if you did not actually supply it or offer it for supply in March 1942 to any purchaser. However, you may not take your closest competitor's maximum price if such price is based on his offering price. The term "maximum price" as used in this paragraph and in section 5 also includes a maximum rate or pricing method.

[Paragraph (c) amended by Am. 3, 9 F.R. 11173, effective 9-14-44, and Am. 7, effective 2-26-45]

Sec. 5. Services which cannot be priced under section 4. (a) If you cannot determine a maximum price under section 4, you must file an application with the appropriate OPA district office for approval of a maximum price in line with the level of maximum prices otherwise established by this regulation, or, in the case of a commodity rental or a manufacturing or processing service, a maximum price consistent with the level of maximum prices established for the sale of the commodity by the applicable maximum price regulation. The application shall contain a description of the service, anticipated direct labor and material costs, and the proposed maximum price. It shall also contain a full explanation of the reasons why you cannot price this service under section 4. If you supplied any other service in March 1942, submit, in addition, a description of the most comparable service showing your present direct labor and material costs for it and your present maximum price. You must also furnish any additional information which OPA may require.

[Paragraph (a) amended by Am. 7, effective 2-26-45]

(b) You may not sell the service for which a maximum price is requested under this section until that price has been approved by OPA, but the proposed price shall be considered approved 20 days after mailing the application (or all additional information which may have been requested) unless, within that time, OPA notifies you that your proposed price has been disapproved.

(c) OPA may at any time disapprove or revise maximum prices proposed or established under this section so as to bring them into line with the level of maximum prices otherwise established by this regulation. You may not redetermine your maximum price after it has been determined under this section unless it is changed by OPA, in which case the changed price shall be your maximum price.

Sec. 6. Pricing of seasonal services—(a) *Services subject to seasonal variations in price.* If you have had a regularly established seasonal variation in

price for the same service, your maximum price shall be the highest price charged to a purchaser of the same class during the corresponding season of the year from March 1, 1941 to February 28, 1942, inclusive, for the same service plus an amount equal to that price multiplied by the percentage increase in the cost of living between the last period of such corresponding season and March 1942.⁸

(b) *Services not supplied in March 1942 and supplied regularly only during one season of the year March 1, 1941 to February 28, 1942.* If you did not supply such service in March 1942 and supplied it regularly during only one season of the year March 1, 1941 to February 28, 1942, your maximum price shall be the highest price you charged to a purchaser of the same class for the same service during the last period previous to March 1942 in which such service was supplied plus an amount equal to that price multiplied by the percentage increase in the cost of living between that last period and March 1942.⁸

(c) This section applies only if the season during which the variation in price was in effect regularly consisted of at least 14 consecutive days.

(d) *Reports.* Within 10 days after determining a maximum price under this section, you must report the price in writing to the appropriate OPA district office, explaining how the price was computed. This price may be revised by OPA at any time to bring it into line with the level of prices established by this regulation.

Sec. 7. Central pricing. If you own or operate more than one service establishment and have established or desire to establish the practice of selling services at uniform prices in all or certain of your establishments, you may apply for a uniform pricing authorization: *Provided,* That you can propose a practicable method for determining prices centrally without increasing the general level of your prices and can show that a uniform pricing authorization will be an aid to price control. The application should be addressed to the Chief, Service Trades Branch, Washington 25, D. C. It should,

⁸Percentage increase in the cost of living. The percentage used shall be as follows for the applicable period:

12.9% (.129) --	March 1, 1941 to April 14, 1941, incl.
11.8% (.118) --	April 15, 1941 to May 14, 1941, incl.
11.1% (.111) --	May 15, 1941 to June 14, 1941, incl.
9.3% (.093) --	June 15, 1941 to July 14, 1941, incl.
8.5% (.085) --	July 15, 1941 to August 14, 1941, incl.
7.6% (.076) --	August 15, 1941 to September 14, 1941, incl.
6.7% (.067) --	Sept. 15, 1941 to Oct. 14, 1941, incl.
4.6% (.046) --	Oct. 15, 1941 to Nov. 14, 1941, incl.
3.7% (.037) --	Nov. 15, 1941 to Dec. 14, 1941, incl.
3.4% (.034) --	Dec. 15, 1941 to Jan. 14, 1942, incl.
2.1% (.021) --	Jan. 15, 1942 to Feb. 14, 1942, incl.
1.2% (.012) --	Feb. 15, 1942 to Feb. 28, 1942, incl.

as far as practicable, present such information regarding services as is required in the case of an application for uniform pricing of commodities by Revised Supplementary Order No. 13.⁹ OPA may on its own motion establish uniform prices for sellers owning or operating more than one service establishment and may for this purpose require sellers to furnish necessary information.

Sec. 8. Commodities—(a) *Commodities included in services.* Your maximum price for a service under this regulation includes any commodity furnished with the service. If your maximum price includes a separately stated charge for the commodity, your maximum price for the service shall be increased or decreased, as the case may be, by the difference between your separately stated charge for the commodity under this regulation and the maximum price fixed by the applicable commodity regulation.

(b) *Percentage commissions on commodity sales or purchases.* If you are a commission seller, buyer, broker, or auctioneer, and in March 1942 you used a percentage rate to determine your commission in connection with the sale or purchase of a commodity, you may now apply your highest March 1942 percentage rate to the current authorized price of the commodity under the applicable commodity maximum price regulation, or to your selling price of the commodity if it is lower, to determine your commission for the purchase or sale of the same commodity to a purchaser of the same class.

Sec. 9. Special pricing provision (long-term contracts, etc.) If in March 1942 you had in effect an increase in your prices for a service to your classes of purchasers generally, and you actually supplied the service to at least one class of purchaser in March 1942 at the increased price, but you did not supply the service at the increased price in March 1942 to a particular class of purchaser because either

(a) You did not supply the service to it in March 1942 after the price increase, or

(b) You supplied the service to it in March 1942 after the price increase at a lower price because you were bound to do so under a contract made before the price increase, then your maximum price to that particular class of purchaser shall be

(1) Your increased offering price to it for supply during March 1942, or

(2) If you had no such increased offering price, then the highest price at which you supplied the service to a purchaser of a different class during March 1942 adjusted to reflect the customary differential in price between the two classes of purchasers.

Sec. 10. Transfer of business; moving of business; changes—(a) *Transfer* If you acquire the business, assets or stock in trade of any business after April 28, 1942, and you carry on the business, or continue to supply the same type of service, in an establishment separate from any other establishment previously

⁹ 9 F.R. 1521.

owned or operated by you, your maximum price shall be the same as those to which your transferor would have been subject if no such transfer had taken place, and your obligation to keep records sufficient to verify such prices shall be the same. You must further prepare and file (if your transferor has not already done so) and keep up to date the statement required under section 14. Your transferor shall preserve and turn over to you all records of transactions prior to the transfer which are necessary to enable you to comply with the record and filing provisions of this regulation.

(b) *Moving.* If you sell services at retail and move the business out of your trading area after July 31, 1944, you must apply to OPA for establishment of your maximum prices under section 5. If you move the business in the same trading area you must keep the same maximum prices.

(c) *Chains.* If you operate one or more selling units and you open a new unit after July 31, 1944, you must apply to OPA for establishment of your maximum prices for that unit under section 5, except that if you close a selling unit and open another one in the same trading area, your maximum prices for the new unit shall be the same as those of the unit you closed.

[Paragraph (c) amended by Am. 7, effective 2-26-45]

SEC. 11. *Taxes.* If a tax is imposed on a service covered by this regulation and the tax law does not forbid you to pass the tax on to your customers, you may add the tax to your maximum price in accordance with the following provisions: If the tax becomes effective after March 1942, you may add the tax to your maximum price if you separately state it. If the tax was in effect in March 1942 and you were not then supplying the service, you may add the tax to your maximum price as established under this regulation if such price does not already reflect the tax, if you separately state it. If the tax was in effect in March 1942 and you were then supplying the service and passing on the tax, you may continue to do so; if you separately stated the tax then, you must do so now. If in March 1942 you did not pass the tax on to your customers, you may not do so now. ("Tax" as used in this section also includes a tax increase.)

SEC. 12. *Additional charges.* You may not make a higher charge for expediting, packaging, or other incidents of a service than you made in March 1942 to a purchaser of the same class; nor may you now make any charge for any incident of a service if it was not your practice to do so in that month. You may not require a purchaser to pay a larger proportion of transportation costs incurred in the supply of any service than you required a purchaser of the same class to pay during March 1942 for the same service. Unless authorized by OPA, you may not now require a deposit for any reason, if you did not require one in March 1942,

nor may you now increase any such deposit which you required in March 1942.

[Sec. 12 amended by Am. 4, 9 F.R. 12969, effective 11-2-44]

SEC. 13. *Sales slips; receipts.* If you have customarily given a purchaser a sales slip or receipt, you must continue to do so. Upon request by a purchaser, you must, regardless of your previous custom, give the purchaser a sales slip or receipt. Such sales slip or receipt must show your name and address, the date, the description and quantity of each service sold, the price charged for each such service, and the price charged for any parts or commodities furnished with the service.

[Sec. 13 amended by Am. 3, 9 F.R. 11173, effective 9-14-44]

SEC. 14. *Records; filings of statements; posting.* You must comply with the following provisions for keeping price records and for filing statements of your maximum prices:

(a) *Records.* Preserve for examination by the Office of Price Administration all records regarding your prices, rates, or pricing methods for services supplied or offered for supply during March 1942 (or such other period as is specified as your base period) and thereafter.

(b) *Filing of statements.* (1) Prepare and keep for examination by any person during ordinary business hours, a statement of your maximum prices, rates, or pricing methods for purchasers of each class together with an adequate description of each such service.

(i) If you have in any case taken the maximum price of your closest competitor for any service as your maximum price, indicate on the statement in every such case the service, the maximum price, and your closest competitor's name and address.

(ii) If your maximum prices are based upon a flat rate manual or similar pricing manual or parts catalog or list, you may (instead of appending it to the statement) clearly identify on the statement such manual, parts catalog, or list by name, edition, number, and date, indicating the instances in which it was not your practice in March 1942 to follow it.

(2) File a duplicate of your statement with the appropriate War Price and Rationing Board. You may, if you wish, file the statement, insofar as it applies to non-retail services which you sell, with the appropriate OPA district office and may request that it be treated as confidential and not subject to public disclosure. This statement will then be withheld from public inspection unless the withholding of the information it contains would be contrary to the purposes of the regulation, and you may also withhold from public inspection the statement required by (b) (1) above, insofar as it applies to non-retail services which you sell.

(3) You must prepare and file the statement (or a supplement thereto if the statement has previously been prepared and filed) within 30 days of the date that your maximum price for a service is first established by this regulation. If you have previously filed a statement of your

maximum prices under Maximum Price Regulation No. 165 as amended, and your maximum prices have not changed under this regulation, you need not refile under this regulation. You must also prepare and file an appropriate supplement to the statement within 10 days after any change in your maximum price is authorized by OPA.

[Subparagraphs (2) and (3) amended by Am. 3, 9 F.R. 11173, effective 9-14-44]

(4) The statement and all supplements thereto must be signed by you or your authorized agent.

(5) If you can show that the foregoing requirements subject you to unusual hardship, you may apply to the National Office of OPA for written authorization to depart from those requirements. Such authorization will be given only if it will not be inconsistent with the purposes of this regulation.

(c) *Posting.* OPA may require you to post your maximum prices for any service which you sell at retail whenever it is deemed necessary to the effective enforcement of this regulation.

SEC. 15. *Violation.*—(a) *License suspension.* The provisions of Licensing Order No. 1,² licensing all persons who make sales under price control, apply to you. Your license may be suspended for violations of the license or of any price regulations applicable to licensed sales. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

(b) *Civil and criminal action.* If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended.

(c) *Record-keeping and filing violations; failure to establish maximum price.* If you fail to keep the records or file the statements as required by section 14, or if such records or statements are incorrect, or if you fail to apply to OPA for the establishment of a maximum price under section 5, if you are required to do so, OPA may issue an order establishing maximum prices for the services you sell in line with prices established by this regulation. This will not relieve you of your obligation to comply with the requirements of section 14 and 5, or of the various penalties for any failure to do so.

[Paragraph (c) amended by Am. 3, 9 F.R. 11173, effective 9-14-44]

SEC. 16. *Adjustments.*—(a) *General adjustments.* OPA may adjust any maximum price established under this regulation upon a demonstration of substantial financial hardship threatening your ability to continue to supply a service, subject to the following limitations:

(1) No adjustment will increase your maximum prices above the levels necessary to permit you to continue the sale of your services;

² 8 F.R. 13240.

(2) No adjustment will be made if it will create or tend to create a need for increases in the prices of other sellers in your locality or elsewhere; and

(3) No adjustment will increase your maximum prices above the prices at which your customers are able to obtain the same or a fairly equivalent service from other suppliers.

However, if, in the judgment of OPA, the loss of your services would be detrimental to the effective prosecution of the war or would impair the maintenance of an adequate wartime standard of living, OPA may apply only the first and second of the above limitations.

In judging whether a maximum price subjects you to substantial financial hardship, OPA will take into account such pertinent factors as the nature of your business, its earnings, and the earnings of your trade as a whole during a representative pre-war period. A price increase may be denied in whole or in part, however, if your hardship is attributable to such causes as a decline in sales volume because of reduced demand, general manpower shortage, shortage of essential supplies, or other difficulties apart from your maximum price. Even though a particular service or type of service is not profitable, an adjustment may be denied in whole or in part if, in the judgment of OPA, such action is justified in view of the profitability of your business as a whole.

(b) *Adjustment by buyer-seller agreement.* If the buyer agrees to absorb the price increase, you may apply for permission to increase the price of a non-retail service by an amount not to exceed direct labor and material cost increases incurred by you since your maximum price for the service was established. Such application must be filed on Form OPA 687:116 and all the requirements stated on the form must be complied with. Fifteen days after filing the form, or supplying such additional information as OPA may request, with the appropriate OPA district office, you may charge your increased price unless you are advised by OPA that your application has been denied. The OPA may at any time deny the application for the price increase in any case where it appears to be inconsistent with the purposes of the Emergency Price Control Act, as amended. You may obtain copies of this form from the OPA district office, or you may copy the form from Appendix A.

[Subparagraph (a) (3) and paragraph (b) amended by Am. 3, 9 F.R. 11173, 12040, effective 9-14-44]

(c) *Application by purchaser who buys services from numerous sellers.* If the purchaser buys non-retail services from sellers too numerous to make recourse to paragraph (b) practicable, he may apply for an adjustment of the charges made to him by letter addressed to the Chief, Service Trades Branch, Office of Price Administration, Washington 25, D. C. Such letter should show that the facts set forth in section II of Form OPA 687:116 exist, the nature and extent of the sellers' cost increases, and, where practicable, the names and addresses of

the sellers and the maximum prices of each. A price increase under this paragraph may not become effective until the applicant is advised in writing of OPA approval, which will be given only where it is clear that there is no practicable recourse to paragraph (b) and where granting such approval will not be inconsistent with the purposes of the Emergency Price Control Act as amended.

SEC. 17. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by OPA, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by OPA after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of OPA having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 18. *Petitions for amendment.* If you seek a change in any provision of this regulation affecting sellers of a service generally, you may file a petition for amendment.

SEC. 19. *Procedures.* Petitions for amendment and applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.¹¹ Supplementary Order No. 28,¹² provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring approval of the National War Labor Board. Procedural Regulation No. 6¹³ governs applications for adjustment of maximum prices for services supplied under government contracts or subcontracts.

SEC. 20. *Amendments; supplementary service regulations; area orders.* This regulation may be changed or supplemented at any time by amendments, supplementary service regulations, or area pricing orders.

SEC. 21. *Evasion.* This regulation shall not be evaded directly or indirectly by any reduction of your customary allowances, discounts, or other price differentials, or by tying agreements, or by deterioration of services, or otherwise.

SEC. 22. *Applicability; base dates for territories and possessions—(a) Applicability.* This regulation applies to services supplied in the 48 states of the United States, the District of Columbia,

and the territories and possessions of the United States.

(b) *Base dates for territories and possessions—(1) Alaska.* The base date for Alaska shall be March 1942.

(2) *Hawaii.* The base date for Hawaii shall be April 1942 instead of March 1942, and all references to March 1942 shall be changed to April 1942. In section 6, the period March 1, 1941 to February 28, 1942 shall be changed to the period from April 1, 1941 to March 31, 1942.

(3) *Puerto Rico and the Virgin Islands.* The base date for Puerto Rico and the Virgin Islands shall be April 10, 1942 to May 10, 1942, instead of March 1942, and all reference to March 1942 shall be changed to the period from April 10, 1942 to May 10, 1942. In section 6, the period March 1, 1941 to February 28, 1942 shall be changed to the period from April 10, 1941 to April 9, 1942.

SEC. 23. *Definitions and explanations.* (a) When used in this regulation:

(1) "Appropriate OPA district office" means the district office of the Office of Price Administration for the district where your place of business is located and from which your sales are made.

(2) "Appropriate War Price and Rationing Board" means the War Price and Rationing Board of the Office of Price Administration for the area where your place of business is located and from which your sales are made.

(3) "Base date" means the period as of which your maximum prices are fixed under this regulation.

(4) "Closest competitor" means that seller selling the same service under substantially the same conditions who is in close competition with you and is located nearest to you.

(5) "Non-retail sale" means a sale to an industrial or commercial user.

(6) "Offered" (as that word is used in connection with price) means the price quoted in your price list, or, if you had no price list in March 1942, the price which you regularly quoted in any other manner, or the price determined by your rate or pricing method. But "offered" (price) does not include a price intended to withhold a service from the market, or a price you offered as a bargaining price if you usually sold at a price lower than your asking price.

(7) "OPA" means the Office of Price Administration.

(8) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or representative of any of the foregoing, and the United States and any other government and the political subdivisions and agencies of any of the foregoing.

(9) "Pricing method" is a formula by which you determined a price for a service in March 1942 which included a rate, and an item for labor, materials, and mark-up for overhead and profit, or any of such items, whether or not the formula was disclosed to the purchaser. Unless the formula included a rate, the figure resulting from the application of the formula was a flat price (except

¹¹ 9 F.R. 10476, 13715.

¹² 7 F.R. 9619; 8 F.R. 7256.

¹³ 9 F.R. 10628.

where the supplying of a service was on a cost-sharing basis) See definition of "rate" below.

(10) "Purchaser of the same class" means a purchaser belonging to the same price class, that is, to a group of purchasers to whom it was your established practice in March 1942 to supply or offer to supply the same service at a particular price. If in March 1942 you customarily supplied or offered to supply the same service to any purchaser at a price different from the price at which you supplied or offered to supply the same service to all other purchasers, that purchaser is in a purchaser price class by himself.

If in March 1942, you had an established practice of charging the same price to certain customers on the basis of standards (such as the nature of the buyer—wholesaler, retailer, etc., or the nature of the sale—large, small, cash, credit, etc.) you must place a new purchaser of the same service in the proper purchaser price class in accordance with such standards. If you had no such standards, or if the new purchaser does not correspond to any of such standards, you must establish a price for the new purchaser under section 5 of this regulation. However, in the case of any service which was supplied before the effective date of this regulation to a new purchaser, if you had no such standards or if the new purchaser did not correspond to any of such standards, the requirements of section 5 (a) will be satisfied if you submit the new purchaser's name and address; the service supplied; the price charged; and a brief statement indicating how it was determined. In such a case, the price for the service shall be deemed to be approved under section 5 (b) subject to revision at any time by OPA if such price is above the level of prices otherwise established by this regulation. For the purposes of this definition, a "new purchaser" means a purchaser to whom you did not supply or offer to supply the same service in March 1942.

[Supparagraph (10) amended by Am. 2, 9 F.R. 9411, effective 8-1-44].

(11) "Rate" is a means of determining a price by multiplying the time involved in supplying a service by a fixed charge per unit of time, or by multiplying the price of the commodity involved by a fixed percentage.

(12) "Records" includes books of accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and any other papers and documents relating to your prices.

(13) "Rental" means any leasing of a commodity except where the lease is a substitute for a conditional sales contract, chattel mortgage, or other security device in connection with an installment sale, or except where the lease contains a provision giving the lessee an option to buy the leased commodity at a stipulated price from which all or a portion of the payments made as rent are to be deducted.

(14) "Season" means any division of the year into periods of at least 14 consecutive days for pricing purposes, such

division being based upon regular and recurrent differences in demand for or supply of the service.

(15) "Sell" includes sell, rent, supply, dispose, barter, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The terms "sale" "selling" "sold", "seller", "buy" "purchase", shall be construed accordingly.

(16) "Service" means the performance of an act or series of acts rendered, otherwise than as an employee, in connection with the processing, distribution, storage, installation, repair or negotiation of purchases or sales of a commodity, or in connection with the operation of any service establishment for the servicing of a commodity, or any incidents of the foregoing. The term includes the rental of any commodity if the rental charge is not covered by a commodity maximum price regulation and has not been exempted from price control. The term does not cover services incidental to the sale of a commodity.

(17) "You" refers to any seller subject to this regulation. If you supply services through more than one place of business, each such place of business shall, for the purpose of this regulation, be considered a separate seller.

Sec. 24. Delegation of authority. The Price Administrator, any Regional Administrator, and any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district, may establish, approve, disapprove, correct, or adjust maximum prices under section 4, 5, 6, 10, 12, 15, 16 (a), (b), and 17 of this regulation.

[Sec. 24 amended by Am. 4, 9 F.R. 12363, effective 11-2-44; and Am. 5, 9 F.R. 13211, effective 11-11-44]

APPENDIX A

OPA Form 687:116

UNITED STATES OF AMERICA, OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR APPROVAL OF NON-RETAIL PRICE ADJUSTMENT AGREED TO BY SUPPLIER AND PURCHASER

INSTRUCTIONS

This method of adjustment cannot be used where the purchaser is a purchaser at retail.

This form must be used by a supplier of a non-retail service to obtain permission to adjust his maximum prices in accordance with the provisions of Section 16 (b) of Revised Maximum Price Regulation No. 165 (Services). This provision allows a supplier of a non-retail service to increase his ceiling prices by no more than the amount of any actual lawful dollars-and-cents increases in his material and labor costs incurred in supplying the service, provided that buyer and seller certify to the facts required by this form.

Three copies of this form, with the appropriate sections filled in and signed by the supplier and the purchaser, must be filed with the appropriate District Office of OPA at least 15 days before the first proposed sale of the service at the requested price. Except where the cost increase is based in part on a wage or salary increase requiring National War Labor Board approval the requested price may be charged 15 days after such filing unless and until the OPA notifies the supplier to the contrary.

In the case of an agreed-upon wage or salary increase requiring National War Labor Board approval, 3 copies of this form must be filed within 15 days from the date your application for approval of the agreed-upon wage or salary adjustment was filed with the National War Labor Board. If a disputed wage or salary proceeding is involved, you must notify the appropriate District Office of OPA in writing within 15 days after receiving notice that the case was certified to the National War Labor Board and must file 3 copies of this form within 5 days of the date upon which you are notified of the proposed National War Labor Board decision in your case. In either case, you may not charge the increased price until the date upon which the wage or salary increase becomes finally effective.

Form approved
Budget Bureau No. C3-R234-43

NOT TO BE FILLED IN BY APPLICANT RECORD OF OPA ACTION

Date received	Date of action
Check one:	
<input type="checkbox"/> Approved in full <input type="checkbox"/> Approved in part <input type="checkbox"/> Denied	
By	District OPA Office No.

SECTION I TO BE FILLED IN BY THE SUPPLIER BEFORE THE PURCHASER FILLS IN SECTION II

1	Name of supplier
	Requests permission to increase maximum price or prices.
	USE A OR B—DO NOT USE BOTH
	A. Fill in "A" if you want to adjust a price for ONE SERVICE ONLY.
	Service (describe fully)
	Pricing unit
	From \$ per
	To per
	Pricing unit
B.	Fill in "B" if you want to adjust a price for MORE THAN ONE SERVICE.
	For each of the services priced according to the attached list by %
	(You must copy from your list of prices filed with the local War Price and Rationing Board the description and maximum prices of the services for which you seek price adjustment in this application.)
	What is the number and address of the local War Price and Rationing Board where you filed your statement of maximum prices for services?
2	Board No.
	Address—number and street
	City State

<input type="checkbox"/> The requested increase in price is no more than enough to offset the actual lawful increase in material and labor costs incurred since March 1942, OR IN THE CASE OF SERVICES PERFORMED UNDER A CONTRACT ENTERED INTO BEFORE MARCH 1942, since October 1, 1941, or since the effective date of the contract, whichever date is more recent, plus increases in labor cost which will result if an application for wage or salary adjustment already filed with the National War Labor Board is granted.	D		Name of store or business	Address—Number and street
	City	State	Type of business	
	Signature of applicant or person signing for applicant		If applicant is a corporation or partnership, give title of person signing	

[Affidavit deleted by Am 1 9 FR 9107 effective 8-1-44]

[Instructions and Section I amended by Am 6 9 FR 13667 effective 11-20-44]

SECTION II

TO BE FILLED IN BY PURCHASER AFTER REVIEWING THE INFORMATION SET FORTH BY THE SUPPLIER IN SECTION

Certification

1	Name of purchaser	Hereby certifies to the Office of Price Administration that it has reviewed the statements made by its supplier in Section I of this Form and	
	A	That it is willing to pay the supplier's requested price;	
	B	That it cannot supply the service itself, and cannot secure satisfactory performance of the service from any other seller, at a price as low as the requested price;	
	C	That the requested increase in price if granted will not be passed on in the form of a price increase to any of its own customers;	
	D	That it will not include the increased price as a cost increase in an application for the adjustment of its own prices.	
2	Name of store or business	Address—Number and street	
	City	State	Type of business
	Signature of purchaser or person signing for purchaser		If purchaser is a corporation or partnership give title of person signing

[Affidavit deleted by Am 1 9 FR 9107 effective 8-1-44]

This regulation shall become effective August 1, 1944 except that for Alaska this regulation shall become effective September 1, 1944 [RMPR 165 originally issued July 1 1944]

[Effective dates of amendments are shown in notes following the parts affected]

Note: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

Issued this 20th day of February 1945

CHESTER BOWLES
Administrator.

[F B Doc 45-2826; Filed Feb 20 1945; 11:42 a m]

3	Answer the following questions				Check one
	A	Do you employ in your entire firm more than 8 individuals?			<input type="checkbox"/> Yes <input type="checkbox"/> No
	B	Are you now paying wages or salaries higher than those paid on October 3 1942?			<input type="checkbox"/> Yes <input type="checkbox"/> No
	C	If the answer to B is yes, was the increase approved by the National War Labor Board?			<input type="checkbox"/> Yes <input type="checkbox"/> No
	D	If the National War Labor Board has issued an order approving wage or salary increases for your employees after October 3 1942, what is the title and date of such order?			<input type="checkbox"/> Yes <input type="checkbox"/> No
	Title		Month	Day	Year
E	If you base this application in whole or in part on wage or salary increases which still require the approval of the National War Labor Board and such increases are DISPUTED rather than VOLUNTARY OR AGREED UPON, when were you notified that your case was certified to the National War Labor Board and when were you notified of the proposed National War Labor Board decision?				
	Month	Day	Year	Place	
F	If you base this application in whole or in part on wage or salary increases which still require the approval of the National War Labor Board and such increases are DISPUTED rather than VOLUNTARY OR AGREED UPON, when were you notified that your case was certified to the National War Labor Board and when were you notified of the proposed National War Labor Board decision?				
	Date of Certification	Month	Day	Year	Date of Proposed Action
	Month	Day	Year	Month	Day
G	Check one	Is the requested adjustment of your maximum price based in any part upon an increase in labor cost per unit of output which is not due to an increased wage or salary?			
	<input type="checkbox"/> Yes <input type="checkbox"/> No				
H	Check one	If the answer to G is 'yes' has the increased level of labor cost per unit of output been in force during the two months preceding the date of this application?			
	<input type="checkbox"/> Yes <input type="checkbox"/> No				
4	FOR THE TWO MONTHS PRECEDING THIS APPLICATION, give the total receipts at MAXIMUM PRICES for the non retail sale of the service or services for which price adjustment is requested				
					\$
5	FOR THE SAME TWO MONTHS, give your total material and labor costs in supplying this service or services. Calculate these using either				
	A	Base date material and labor costs			
	B	If the service was supplied in MARCH 1942 ON CONTRACTS MADE PRIOR TO MARCH 1942 material and labor costs existing on (i) October 1 1941 or (ii) at start of contract whichever date is more recent			
					\$
6	FOR THE SAME TWO MONTHS, give the total material and labor costs incurred in supplying this service or services. CALCULATE THESE USING CURRENT COSTS OF MATERIAL AND LABOR and any increases in labor cost which will result if an application for wage or salary adjustment already filed with the National War Labor Board is granted				
					\$
7	I certify that:				
	A	I cannot continue to supply this service at maximum prices.			
	B	I am not paying more for materials than the established maximum prices			

PART 1499—COMMODITIES AND SERVICES
[RMPR 165, Rev. Supp. Service Reg. 43]

DELEGATION OF AUTHORITY TO ISSUE ORDERS
AFFECTING AGRICULTURAL SERVICES

The statement of the considerations involved in the issuance of this Revised Supplementary Service Regulation No. 43, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Supplementary Service Regulation No. 43 is hereby issued.

§ 1499.676 *Delegation of authority to issue orders affecting agricultural services.* (a) In conjunction with the War Food Administration.

(1) Any Regional Administrator and any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district, may issue a general order establishing the maximum prices which independent contractors may charge for agricultural services in those areas where the War Food Administration has established wage ceilings for agricultural labor.

(b) Custom services performed in the processing, packing, and loading of agricultural commodities and other food products.

(1) Any Regional Administrator and any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district may issue general orders establishing the maximum prices which may be charged for custom services performed in the processing, packing, and loading of agricultural commodities and other food products.

(2) No order issued under this regulation shall be effective for more than 90 days from the date of its issuance. However, such order may be continued in effect by amendment if prior to the expiration date of the original order the Regional Administrator or District Director, as the case may be, has obtained pre-clearance of the amended order with the National Office of the OPA in Washington.

(3) Definitions: As used in (b) (1) and (b) (2) above.

"Processing" means grading, sorting, candling, washing, cleaning, drying, hulling, shelling, dehydrating, cutting, slicing, weighing, kipping, distilling, pickling, canning, milling, and other services involved in preparing products for market, but does not include the processing of agricultural commodities and other food products when performed in connection with retail frozen food locker services.

"Packing" means sacking, bottling, wrapping, packaging, crating, and related services.

"Loading" means loading into trucks, rail cars, boats and barges.

*Copies may be obtained from the Office of Price Administration.

"Agricultural commodities" means fruits, vegetables, cereals, nuts, seeds, grain, feed, and their by-products.

"Other food products" means meat, game, fish, poultry products, dairy products and their by-products.

This Revised Supplementary Service Regulation No. 43 shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2327; Filed, Feb. 20, 1945;
11:42 a. m.]

Notices

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 875]

RECONSIGNMENT OF LETTUCE AT HARTFORD, CONN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Hartford, Connecticut, February 18, 1945, by Pioneer Fruit & Commission Company, of car PFE 51163, lettuce, now on the N. Y. N. H. & H. Railroad, to Strock & Company, Boston, Massachusetts (NYNH&H).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2807; Filed, Feb. 20, 1945;
11:30 a. m.]

[Rev. S. O. 276]

ROUTING OF SYMBOL TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of February, A. D. 1945.

It appearing, that in the opinion of the Commission certain symbol traffic should be routed to best promote the service in the interest of the public and the commerce of the people: it is ordered, that:

(a) *Routing of symbol traffic.* The Atlantic Coast Line Railroad Company shall route all cars of Symbol 7G originating at Meroux, Louisiana, by way of Wadesboro, North Carolina—Winston-Salem Southbound Railway Company—Winston-Salem, North Carolina—Norfolk and Western Railway Company—Shenandoah Junction, West Virginia, thence by way of The Baltimore and Ohio Railroad Company destined Twin Oaks, Pennsylvania.

(b) *Application.* The provisions of this order shall apply to foreign as well as interstate commerce.

(c) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, shall be the rates which were applicable at date of shipment over the routes so designated.

(d) *Division of rates.* In executing the orders and directions of the Commission provided for in this order, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agree, the divisions shall be hereinafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. If division agreements now exist on the traffic affected, over the routes herein authorized they shall not be changed or affected by this order.

(e) *Effective date.* This order shall become effective at 6:00 p. m., February 19, 1945.

(f) *Expiration date.* This order shall expire at 12:01 a. m., March 20, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, secs. 402, 418; 41 Stat. 476, 485, secs. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall vacate and supersede Service Order No. 276, and that copies of this order and direction shall be served upon the carriers named herein and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-2293; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 232, Special Permit 3]

ROUTING OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing of URT-3100, cabbage, with not to exceed 2 tons of ice. Car on Chicago Produce Terminal to be reconsigned to Toledo, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2809; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 4]

REICING OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F. R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing of MDT 4408, peas, with not to exceed 2,000 pounds ice. Car now on Chicago Produce Terminal.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2810; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 5]

REICING OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of

February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing of MUNX 3394, lettuce, with not to exceed 4,000 pounds ice. Car now on Chicago Produce Terminal.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2811; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 6]

REICING OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing of PFE 94308 peas, with not to exceed 2,000 pounds ice. Car now on Chicago Produce Terminal.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2812; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 7]

REICING OF BROCCOLI AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common car-

rier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing of ART 26002, broccoli, with not to exceed 4,000 pounds ice. Car now on the Wabash Railroad at Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2813; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 8]

REICING OF SPINACH AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, February 16, 1945, of the following cars, now on the Pennsylvania Railroad at Jersey City, New Jersey: WFE 30499, spinach, with not to exceed one ton of retop ice, PFE 93202, spinach, with not to exceed two tons of retop ice, as ordered by the J. Schwartz.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2814; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 9]

REICING OF CABBAGE AND PEAS AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph of Service Order No. 282, of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, February 16, 1945, with not to exceed 3,000 pounds of retop ice per car, on cars BRE 78358, PFE 41973, PFE 96693, cabbage, and PFE 96735, peas, all now on the Pennsylvania Railroad at the Jersey City, N. J. Ball Grounds, as ordered by Leef Schlenk Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2815; Filed, Feb. 20, 1945;
11:30 a. m.]

[S. O. 282, Special Permit 10]

REICING OF CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing one time only, at Chicago, Illinois, February 16, 1945, with not to exceed 3,000 pounds of retop ice, car MDT 5343, cabbage, now on the Chicago Produce Terminal, as ordered by the Louie Cohen Company, Inc.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 45-2816; Filed, Feb. 20, 1945;
11:31 a. m.]

[S. O. 282, Special Permit 11]

REICING OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 16, 1945, with not to exceed two tons of retop ice, cars SFRD 31755, PFE C0097, 94260 and C0949, lettuce, now on the Chicago Produce Terminal, as ordered by Justman Frankenthal Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-2817; Filed, Feb. 20, 1945;
11:31 a. m.]

[S. O. 282, Special Permit 12]

REICING OF LETTUCE AT CINCINNATI, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Cincinnati, Ohio, February 16, 1945, with not to exceed 3,000 pounds of retop ice, ART 2374, lettuce, now on the Baltimore & Ohio Railroad, as ordered by the S. A. Gerrard Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-2818; Filed, Feb. 20, 1945;
11:31 a. m.]

[S. O. 282, Special Permit 13]

REICING OF CARROTS AT SOUTH KEARNY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 232 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 232 insofar as it applies to the furnishing of not to exceed 3,000 pounds of retop ice, one time only, at South Kearny, N. J., February 16, 1945, on car FGE 35312, carrots, now on the Pennsylvania RR., as ordered by Yeckes Eichenbaum Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-2819; Filed, Feb. 20, 1945;
11:31 a. m.]

[S. O. 282, Special Permit 14]

REICING OF CARROTS AND LETTUCE AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 232 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 232 insofar as it applies to the furnishing of not to exceed one ton of retop ice, one time only, at Jersey City, N. J., February 16, 1945, on car SFRD 32746, lettuce, now on the Pennsylvania RR., and cars PFE 40430, ART 16938, PFE 44844, lettuce, and PFE 60051, carrots, now on the Baltimore and Ohio RR., as ordered by Geo. P. Fish & Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-2820; Filed, Feb. 20, 1945;
11:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 410]

CABOT SHOPS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 410 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Cabot Shops, Inc. Docket No. 6083-136.25a-69.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered.*

(a) The maximum prices of Cabot Shops, Inc., Boston, Massachusetts, for its twin crank pumping units, designated in the schedule below, shall be those set forth in the schedule for the zones of distribution heretofore established by Cabot Shops, Inc. as designated in the schedule, subject, however, to the discounts, allowances, extra charges and terms for delivery duly in effect just prior to the issuance of this order.

Model	Maximum price			
	Zone 1	Zone 2	Zone 3	Zone 4
T2-23.....	\$407	\$414.00	\$421	\$435.00
T3-35.....	422	430.00	439	454.00
T69-4S.....	621	635.00	648	674.00
T69-4D.....	665	680.00	695	720.00
T16L.....	1,476	1,529.00	1,622	1,740.00
T18L.....	1,490	1,542.00	1,634	1,753.00
T13 Beam Weights, Per Set.....	31	34.70	38	42.60
T16L Engine Base Extension.....	62	62.00	62	62.00
T18L Engine Base Extension.....	70	70.00	70	70.00
Vee Attachments, T16L, T18L, & relns.....	164	164.00	164	164.00
BC9 Bell Crank.....	231	236.00	240	247.00
BC12 Bell Crank.....	332	340.00	347	360.00
BO16 Bell Crank.....	427	439.00	475	490.00

Model:	Maximum price Eastern District
T6SE-4S crank weights, per set.....	\$60
T2E-2S.....	394
T3E-3S.....	399
T3LE-3S.....	400
T6SE-4S.....	601
T6SE-4D.....	591
T6LE-6D.....	697
Vee attachments, T6SE, T6LE.....	49

(b) The maximum prices for resellers of the items described in the schedule in paragraph (a) of this order shall be the prices set forth in the schedule subject, however, to the reseller's discounts, allowances, extra charges and terms for delivery duly in effect just prior to the issuance of this order.

(c) Cabot Shops, Inc. shall give written notice of the provisions of this order to the resellers described in paragraph (b) of this order, and shall file a copy of each notice with the Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator[F. R. Doc. 45-2770; Filed, Feb. 19, 1945;
11:43 a. m.]

[MPR 120, Order 1293]

ALLEGHENY RIVER MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered.*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

ALLEGHENY RIVER MINING CO., KITTANNING, PA., MAHONING MINE, E SEAM, MINE INDEX NO. 5310, ARMSTRONG COUNTY, PA., SUB-DIST. 10, RAIL SHIPPING POINT: FURNACE RUN, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	H	J	J
Rail shipment.....	330	330	310	285	285
Truck shipment.....	350	330	330	310	300
R. R. locomotive fuel.....	320	320	305	295	295

ALLEGHENY RIVER MINING CO., KITTANNING, PA., MAHONING MINE, E SEAM, MINE INDEX NO. 5318, ARMSTRONG COUNTY, PA., SUB-DIST. 10, RAIL SHIPPING POINT: MAHONING MINE, PA., DEEP MINE

	H	H	H	J	J
Price classification.....	330	330	310	285	285
Rail shipment.....	350	330	330	310	300
Truck shipment.....	360	330	330	310	300
R. R. locomotive fuel.....	320	320	305	295	295

VERNON CROZIER, R. D. No. 1, DAYTON, PA., No. 1 MINE, E SEAM, MINE INDEX NO. 5302, JEFFERSON COUNTY, PA., SUB-DIST. 6, RAIL SHIPPING POINT: MCGREGOR AND MARBLE Sdg., PA., DEEP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	360	335	335	325	315
Truck shipment.....	360	335	335	325	315
R. R. locomotive fuel.....	320	320	305	295	295

H. & K. COAL CO., c/o R. G. KUHN, PHILIPSBURG, PA., MAPLETON No. 7 DEEP MINE, B SEAM, MINE INDEX No. 6297, CLEARFIELD COUNTY, PA., SUB-DIST. 21, RAIL SHIPPING POINT: BRISBIN, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	C	C	C	C	C
Rail shipment.....	370	365	345	330	330
Truck shipment.....	375	350	350	310	330
R. R. locomotive fuel.....	320	320	305	295	295

H. & K. COAL CO., c/o R. G. KUHN, PHILIPSBURG, PA., MAPLETON #7 STRIP MINE, B SEAM, MINE INDEX No. 6298, CLEARFIELD COUNTY, PA., SUB-DIST. 21, RAIL SHIPPING POINT: BRISBIN, PA., STRIP MINE

	C	C	C	C	C
Price classification.....	370	365	345	330	330
Rail shipment.....	375	350	350	310	330
Truck shipment.....	375	350	350	310	330
R. R. locomotive fuel.....	320	320	305	295	295

HALLETT COAL CO., c/o GEO. C. LEONARD, NEW BETHLEHEM, PA., HALLETT #1 MINE, E SEAM, MINE INDEX No. 3404, ARMSTRONG COUNTY, PA., SUB-DIST. 11, RAIL SHIPPING POINT: RINGGOLD, PA., STRIP MINE

	G	G	1G	1G	1H
Price classification.....	330	330	315	305	285
Rail shipment.....	355	330	330	320	305
Truck shipment.....	355	330	330	320	305
R. R. locomotive fuel.....	320	320	305	295	295

HALLETT COAL CO., c/o GEO. C. LEONARD, NEW BETHLEHEM, PA., HALLETT #2 MINE, D SEAM, MINE INDEX No. 3405, ARMSTRONG COUNTY, PA., SUB-DIST. 11, RAIL SHIPPING POINT: RINGGOLD, PA., STRIP MINE

	G	G	1G	1G	1H
Price classification.....	330	330	315	305	285
Rail shipment.....	355	330	330	320	305
Truck shipment.....	355	330	330	320	305
R. R. locomotive fuel.....	320	320	305	295	295

¹ Previously established.

This order shall become effective February 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator[F. R. Doc. 45-2765; Filed, Feb. 19, 1945;
11:41 a. m.]

[MPR 120, Order 1294]

MIEFLIN GAS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES
AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered.*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to

a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents

per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

MEFFLIN GAS COAL CO., c/o LOUIS ABRUZZI, BOX 38, BRUCEYON, PA., DELAS #1 MINE, PITTSBURGH SEAM, MINE INDEX No. 4269, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: BRUCEYON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	O	O	O	O	O	O	O		
Rail shipment.....	310	310	310	310	310	309	275	275	275		
Railroad fuel.....	310	310	310	310	310	309	275	275	275	245	
Truck shipment.....	425	425	425	390	390	390	350	325	255	255	270

NASSAR COAL CO., c/o ELIAS J. NASSAR, STAR JUNCTION, PA., NASSAR #7 MINE, PITTSBURGH SEAM, MINE INDEX No. 4246, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT: LIGGNER, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 14, MAXIMUM TRUCK PRICE GROUP No. 8

	G	G	G	G	H	H	G	G		
Price classification.....										
Rail shipment.....	285	285	275	275	270	269	245	245	230	
Railroad fuel.....	290	290	290	290	290	275	245	245	235	235
Truck shipment.....	415	415	415	395	395	395	355	335	295	255

PLUMMER & JAMES, SEWICKLEY, PA., PLUMMER & JAMES #2 MINE, PITTSBURGH SEAM, MINE INDEX No. 4270, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: VANDERBILT, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 7

	E	E	O	O	B	B	O	O	O		
Price classification.....											
Rail shipment.....	310	310	310	310	310	309	275	275	275		
Railroad fuel.....	310	310	310	310	310	309	275	275	275	215	
Truck shipment.....	415	415	415	385	375	375	375	310	290	290	255

RATHGEB & GORE, 939 JEFFERSON ST., MCKEESPORT, PA., TURKEYFOOT MINE, PITTSBURGH SEAM, MINE INDEX No. 4273, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: BOSTON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 5

	D	D	O	O	O	O	O	O	O		
Price classification.....											
Rail and river shipment.....	310	310	310	310	310	309	275	275	275		
Railroad fuel.....	310	310	310	310	310	309	275	275	275	215	
Truck shipment.....	425	425	425	390	390	390	350	325	255	255	270

SEBASTIAN & FIORE, 738 OHIO AVE., GLASSPORT, PA., MCLURE MINE, PITTSBURGH SEAM, MINE INDEX No. 423, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: WYLLIE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 5

	D	D	O	O	O	O	O	O	O		
Price classification.....											
Rail shipment.....	310	310	310	310	310	309	275	275	275		
Railroad fuel.....	310	310	310	310	310	309	275	275	275	245	
Truck shipment.....	425	425	425	390	390	390	350	325	255	255	270

This order shall become effective February 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2766; Filed, Feb. 19, 1945;
11:41 a. m.]

[MPR 120, Order 1295]

ANTHONY & RUDOLPH KUKENBERGER, ET AL.,
ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton,

for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping

point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

ANTHONY & RUDOLPH KUKENBERGER, R. D. #3 HIGHLAND PARK, JOHNSTOWN, PA., SHADE CREEK #1 MINE, C' SEAM, MINE INDEX No. 4300, SOMERSET COUNTY, PA., SUBDISTRICT 33, RAIL SHIPPING POINT: WENDELL, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	E	E	E	E	E
Rail shipment.....	335	335	335	315	315
Truck shipment.....	335	340	340	320	320
Railroad locomotive fuel.....	320	320	305	255	255

W. A. PERRY, P. O. BOX 603, CLEARFIELD, PA., BELFAST #3 D MINE, D SEAM, MINE INDEX No. 5255, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: GRAMPIAN, PA., STRIP MINE

	F	F	F	F	F
Price classification.....					
Rail shipment.....	335	335	335	335	305
Truck shipment.....	330	335	335	325	315
Railroad locomotive fuel.....	320	320	305	255	255

W. A. PERRY, P. O. BOX 603, CLEARFIELD, PA., BELFAST #3 E MINE, E SEAM, MINE INDEX No. 5256, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: GRAMPIAN, PA., STRIP MINE

	F	F	F	F	F
Price classification.....					
Rail shipment.....	335	335	335	305	305
Truck shipment.....	330	335	335	325	315
Railroad locomotive fuel.....	320	320	305	255	255

RIVER SHOULES COAL CO., c/o B. M. DUBOIS, #3 COUNTY NAT'L BANK BLDG., CLEARFIELD, PA., RIVER No. 3 MINE, A SEAM, MINE INDEX No. 5259, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RIVER SHIPPING POINT: CORONA, PA., STRIP MINE

	H	H	H	H	H
Price classification.....					
Rail shipment.....	330	320	310	295	295
Truck shipment.....	330	325	325	315	305
Railroad locomotive fuel.....	320	320	305	255	255

TEONE COAL CO., c/o COTTRON, 64 GROVE AVE., JOHNSTOWN, PA., TEONE No. 1 MINE, E SEAM, MINE INDEX No. 5263, SOMERSET COUNTY, PA., SUBDISTRICT 29, RAIL SHIPPING POINT: KINGS, PA., DEEP MINE

	F	F	F	F	F
Price classification.....					
Rail shipment.....	335	335	325	305	305
Truck shipment.....	330	335	335	325	315
Railroad locomotive fuel.....	320	320	305	255	255

WOOLIDGE COAL CO., c/o H. D. WOOLIDGE, TRUST BLDG., CLEARFIELD, PA., PLEASANT VALLEY STRIP MINE, O SEAM, MINE INDEX No. 5263, CLEARFIELD COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: WOOLIDGE, PA., STRIP MINE

	F	F	F	F	F
Price classification.....					
Rail shipment.....	335	335	335	305	305
Truck shipment.....	330	335	335	325	315
Railroad locomotive fuel.....	320	320	305	255	255

WENDELL HIGH FUSING COAL CO., c/o A. BERRY, 1507 JACKSON AVE., WENDELL, PA., WENDELL HIGH FUSING No. 3 MINE, C' SEAM, MINE INDEX No. 5260, SOMERSET COUNTY, PA., SUBDISTRICT 33, RAIL SHIPPING POINT: EAST WENDELL, PA., STRIP MINE

	E	E	E	E	E
Price classification.....					
Rail shipment.....	335	335	335	315	315
Truck shipment.....	335	340	340	320	320
Railroad locomotive fuel.....	320	320	305	255	255

WILLIAM D. GREENLAND, CALVIN, PA., GREENLAND MINE, FELTON SEAM, MINE INDEX No. 5264, HUNTINGTON COUNTY, PA., SUBDISTRICT 39, DEEP MINE

Truck shipment.....	425	425	320	255	250

¹ Previously established.

² Smelting coal (any size)—475.

This order shall become effective February 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2767; Filed, Feb. 19, 1945;
11:42 a. m.]

[MPR 120, Order 1296]

COLONIAL COAL STRIPPING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES
AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No.

2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

COLONIAL COAL STRIPPING CO., 1407 FEDERAL ST., NORTHSIDE, PITTSBURGH, PA., SEYMOUR MINE, MIDDLE KITTANNING SEAM, MINE INDEX NO. 4263, BEAVER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: NEW GALILEE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 10, MAXIMUM TRUCK PRICE GROUP No. 4

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	B	B	B	B	B		
Rail shipment.....	310	310	310	310	310	300	275	275	260		
Railroad fuel.....	310	310	310	310	310	300	275	275	260	245	
Truck shipment.....	415	415	415	400	375	375	375	305	265	265	245

ELIZABETH FUEL CO., BOX 249, ELIZABETH, PA., EFCO #5 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4276, WEST-MORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: SCOTT HAVEN, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 8

	D	D	C	C	C	C	C	C	C		
Price classification.....	310	310	310	310	310	300	275	275	255		
Rail shipment.....	310	310	310	310	310	300	275	275	255	245	
Railroad fuel.....	310	310	310	310	310	300	275	275	255	245	
Truck shipment.....	415	415	415	395	365	365	365	305	285	285	255

FRANKS COAL CO., R. D. #3, BOX 320, UNIONTOWN, PA., FRANKS MINE, PITTSBURGH SEAM, MINE INDEX NO. 4274, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: NEWCOMER, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP No. 7

	E	E	C	C	C	D	D	D	D		
Price classification.....	310	310	310	310	310	290	270	270	245		
Rail shipment.....	310	310	310	310	310	290	270	270	245	245	
Railroad fuel.....	310	310	310	310	310	290	270	270	245	245	
Truck shipment.....	415	415	415	385	375	375	375	310	290	290	265

LUCIDI COAL CO., 331 BAWER AVE., CLARFON, PA., LUCIDI #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4264, WASHINGTON COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: COURTNEY, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 6

	D	D	C	C	C	C	C	C	C		
Price classification.....	310	310	310	310	310	300	275	275	255		
Rail shipment.....	310	310	310	310	310	300	275	275	255	245	
Railroad fuel.....	310	310	310	310	310	300	275	275	255	245	
Truck shipment.....	425	425	425	385	375	375	375	325	290	290	255

D. D. MULLETT, 3424 LIBERTY AVE., PITTSBURGH, PA., MULLETT #3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4271, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: BURGETTSTOWN, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP No. 6

	J	J	H	H	H	H	J	J	J		
Price classification.....	285	285	270	270	270	260	235	235	225		
Rail shipment.....	290	290	290	290	290	275	235	235	235	235	
Railroad fuel.....	290	290	290	290	290	275	235	235	235	235	
Truck shipment.....	425	425	425	385	375	375	375	325	290	290	255

G. & J. COAL CO., c/o JOHN SNYDER, BOX 153, B. ROUTE #1, ELIZABETH, PA., G & J MINE, PITTSBURGH SEAM, MINE INDEX NO. 4275, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6

Truck shipment.....	425	425	425	390	360	360	360	325	285	285	270

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

[F. R. Doc. 45-2768; Filed, Feb. 19, 1945;
11:42 a. m.]

[MPR 136, Order 409]

THE FLEXIBLE CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 409 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. The Flexible Company. Docket No. 6083-136.25a-139.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) The Flexible Company, Londonville, Ohio is authorized to sell to national accounts, resellers and purchasers at retail, 400 units of the Flexible bus described in subparagraph (1) at a price per bus not to exceed the list price in that subparagraph, adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2)

(1) *List price.* Subject to seller's discount in effect on March 31, 1942 to the applicable class of purchaser:

Description	List price f. o. b. factory	
	Painted	Unpainted
Flexible 29 passenger motor bus with standard equipment and specifications, less tires.....	\$9,420	\$9,330

(2) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the charge in effect on March 31, 1942 for such equipment;

(ii) A charge to cover handling and delivery expense computed in accordance with the method the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method the seller had in effect on March 31, 1942;

(iv) A charge to include federal tire-weight and other federal excise taxes, and state and local taxes on the bus being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of Flexible buses may sell, delivered at place of business, each bus described in paragraph (a) at a price not to exceed the total of the list price in paragraph (a) (1) and the applicable charges in subparagraph (1) below, subject to the discounts in effect on March 31, 1942 to the applicable class of purchaser.

(1) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the charge the reseller had in effect on March 31, 1942 for such equipment;

(ii) A charge for transportation which shall not exceed the charge The Flexible Company would make for the transportation of the bus from the factory to the place of business of the reseller;

(iii) A charge to cover federal, state and local taxes on the purchase, sale or

delivery of the bus computed in accordance with the method the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) A reseller of Flexible buses that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942 shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (a) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that The Flexible Company suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the bus as original equipment;

(ii) A charge for transportation which shall not exceed the charge The Flexible Company would make for the transportation of the bus from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by The Flexible Company in accordance with the method that manufacturer had in effect on March 31, 1942, to cover federal tire-weight and other federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the bus

(v) A charge equal to the reseller's actual expense for handling and delivery of the bus.

(d) A reseller of Flexible busses in any of the territories or possessions of the United States is authorized to sell the bus described in paragraph (a) at a price not to exceed the maximum price established in paragraph (b) or (c) whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the bus; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

*NOTE: Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because of a substantial specification change or material substitution in the bus, the reseller may add to its price under paragraph (b), (c) or (d) the increase in cost to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such cost.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2769; Filed, Feb. 19, 1945;
11:43 a. m.]

No. 37—6

[MPR 260, Amdt 1 to Order 231]

NATIONAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in the opinion accompanying this amendment, pursuant to § 1358.102 (b) of Maximum Price Regulation 260; *It is ordered, That:*

The maximum prices for Lincoln Highway and Red Seal cigars set forth in paragraph (a) of Order No. 291 under Maximum Price Regulation 260 are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lincoln Highway.	50	Per M \$50	Cents 2 for 15
Red Seal.....	50	60	2 for 15

This amendment shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2771; Filed, Feb. 19, 1945;
11:44 a. m.]

[MPR 260, Order 612]

PALAEZ AND AMAT

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:* (a) Palaez & Amat, 1415 13th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Palaez & Amat..	Londres.....	50	Per M \$50	Cents 2 for 15
	Coronas.....	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differ-

entials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1944.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2772; Filed, Feb. 19, 1945;
11:44 a. m.]

[MPR 260, Order 613]

MANUEL MIRANDA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:* (a) Manuel Miranda, 29 East 104th St., New York 29, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Amex Cigars.....	Coronas.....	50	Per M \$54	Cents 8
	Coronitas.....	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2773; Filed, Feb. 19, 1945;
11:44 a.m.]

[MPR 260, Order 614]

ERWIN L. DOSCH CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Reg-

ulation No. 260; It is ordered, That: (a) Erwin L. Dosch Cigar Company, East Prospect, York County, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Carlitona.....	Queens.....	50	Per M \$72	Cents 9
Maxwell House.....	do.....	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2774; Filed, Feb. 19, 1945;
11:44 a.m.]

[MPR 260, Order 615]

FRED J. ZIEGENFELDER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That: (a) Fred J. Ziegenfelder, 619 West High St., St. Marys, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Royal Dot.....	Royal Dot Darks, Hand Made..	50 60	Per M \$78.75 82.50	Cents 2 for 21 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or

frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2775; Filed, Feb. 19, 1945;
11:45 a.m.]

[MPR 260, Order 616]

YOCUM BROS., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That: (a) Yocum Brothers, Inc., 4th and Walnut Streets, Reading, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
DeLuxe Y-B	Generals	50	Per M \$115	Cents 15
Rose-O-Cuba	Queens	50	60	2 for 15
William Barton	Colonials	50	60	2 for 15
Tampello	Perfecto Extra	50	40	5
Lord Stirling	Regalias	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to pur-

chasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2776; Filed, Feb. 19, 1945;
11:45 a.m.]

[MPR 260, Order 617]

EL CASINO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That: (a) El Casino Cigar Factory, 2404 7th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell, or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
D & G	Coronas	50	Per M \$94	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum

prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2777; Filed, Feb. 19, 1945;
11:45 a.m.]

[MPR 260, Order 618]

YBOR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That: (a) Ybor Cigar Co., 1612 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars

at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Battle King.....	Corona Chica.	50	Per M \$64	Cents 8
Battle King.....	Corona Extra.	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2778; Filed, Feb. 19, 1945; 11:46 a. m.]

[MPR 260, Order 619]

CASTELLANO Y CABRERA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That: (a) Castellano y Cabrera Cigar Factory, 1806 19th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Castellano y Cabrera.	Coronas.....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2778; Filed, Feb. 19, 1945; 11:46 a. m.]

[MPR 260, Order 620]

CASTILLO CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That: (a) Castillo Cigar Factory, 1938 Main St., Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Jose Gomez.....	Coronas 1.....	50	Per M \$90	Cents 12
Castillo.....	Coronas 1.....	50	90	12

¹ Prices apply to cigars of stated brand and frontmark with wrappers made from types 61-1A or 81-1A, of the grades stated in their respective applications.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and

shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2780; Filed, Feb. 19, 1945;
11:46 a. m.]

[MPR 260, Order 621]

CASA CUBA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That: (a) Casa Cuba Cigar Factory, 3001 Chestnut Street, Tampa 7, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Casa Cuba.....	Palmas.....	50	Per M \$161.50	Cents 21
	Queen Delux.....	50	145.00	19
	Brevas.....	50	161.50	21
	Corona Extra.....	50	55.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufac-

turer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2781; Filed, Feb. 10, 1945;
11:47 a. m.]

[MPR 260, Order 622]

LA FAVORITA DE TALPA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That: (a) La Favorita de Tampa Cigar Factory, 3413 15th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Favorita de Tampa.....	Corona Chica.....	50	Per M \$40	Cents 5
	Corona.....	50	45	6
	Brevas.....	50	100	22
	Corona Extra.....	50	55	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 20, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2782; Filed, Feb. 19, 1945;
11:47 a. m.]

[MFR 136, Order 411]

MACK MANUFACTURING CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 411 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Mack Manufacturing Corporation. Docket No. 6083-136.25a 157.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered*.

(a) The Mack Manufacturing Corporation, Empire State Building, New York, N. Y., is authorized to sell to national accounts, resellers and purchasers at retail, each Mack motor truck containing the chassis described in subparagraph (1) at a price not to exceed the list price in that subparagraph, adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2).

(1) *List price.* Last price subject to seller's discount in effect on March 31, 1942 to the applicable class of purchaser:

Model	Description	List price f.o.b. factory
EF-Special....	Truck chassis with 132½" wheel base, and 1942 standard specifications and equipment of Model EF chassis except for a Mack EM-290" engine, a Mack TR-30 direct transmission and a 1500 Series drive line.	\$1,870

(2) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the charge in effect on March 31, 1942 for such equipment;

(ii) A charge to cover handling and delivery expense computed in accordance with the method the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method the seller had in effect on March 31, 1942;

(iv) A charge to include federal tire-weight and other federal excise taxes, and state and local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of Mack motor trucks may sell, delivered at place of business, each Mack motor truck containing the chassis described in subparagraph (1) below at a price not to exceed the total of the list price in that subparagraph and the applicable charges in subparagraph (2) below, subject to the discounts in effect on March 31, 1942 to the applicable class of purchaser.

(1) *List price:*

Model	Description	List price f.o.b. factory
EF-Special....	Truck chassis with 132½" wheel base, and 1942 standard specifications and equipment of Model EF chassis except for a Mack EM-290" engine, a Mack TR-30 direct transmission and a 1500 Series drive line.	\$1,870

(2) *Charges.* (i) A charge for extra, special, and optional equipment not to exceed the charge the reseller had in effect on March 31, 1942 for such equipment;

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller.

(iii) A charge to cover federal, state and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the method the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) A reseller of Mack motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942 shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that Mack Manufacturing Corporation suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the truck as original equipment;

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Mack Manufacturing Corporation, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover federal tire-weight and other federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of Mack motor trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may

add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: The manufacturer's maximum price under paragraph (a) is for a truck equipped with natural rubber tires, or synthetic rubber tires delivered to it prior to April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic tires delivered to the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to its price under paragraphs (b), (c) or (d) the increase in cost to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such cost.

This order shall be effective February 19, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2793; Filed, Feb. 19, 1945; 4:25 p. m.]

[Supp. Order 99, Amdt. 2 to Orders 1-4 and Amdt. 1 to Order 5]

SPECIFIED KNITTED UNDERWEAR GARMENTS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered*, That Order Nos. 1 to 5, inclusive, under § 1305.127 of Supplementary Order 99 be amended in the following respects:

The undesignated paragraph in Order Nos. 1-4, inclusive, appearing immediately after the paragraph reading "This order may be revoked or amended by the Price Administrator at any time." and paragraph (h) of Order No. 5, are hereby amended to read as follows:

This order shall apply only to those garments enumerated in paragraph (a) above which are delivered by the manufacturer on or before April 30, 1945; *Provided, however*, That with respect to any style of boys' union suit enumerated in paragraph (a) above, this order shall apply only to those garments which are delivered by the manufacturer on or before January 31, 1945.

This amendment shall become effective February 19, 1945.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2792; Filed, Feb. 19, 1945; 4:25 p. m.]

[Max. Import Price Reg., Order 71]
PENOBSCOT SALES Co.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, It is ordered:

(a) *What this order does.* This order establishes maximum prices at which any person may sell, and maximum prices at which any person other than the importer may buy folding kitchen step stools, approximately 24 inches high, made of steel with synthetic rubber feet, and with painted wood seat and steps, imported from Canada by J. Febro, doing business as Penobscot Sales Company, 1863 Penobscot Building, Detroit, Michigan, hereinafter called the "importer." This kitchen stool is identified by a marking "Made in Canada" stamped thereon.

(b) *Maximum prices on sales by any person except a retailer.* No person, other than a retailer, may sell or deliver and no person may buy or receive from such seller, kitchen step stools described in paragraph (a) at a price higher than \$3.00 each, f. o. b. Detroit, Michigan.

(c) *Maximum retail prices.* No retailer may sell or deliver, and no person may buy or receive, such kitchen step stools from a retailer at prices higher than the following:

(1) \$5.10 each, delivered, in the States of Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, and New Mexico.

(2) \$4.95 each, delivered, elsewhere in the Continental United States.

(d) *Importer or other seller to notify retailers.* The importer or other seller shall notify each retailer to whom such kitchen step stools are sold that the maximum retail selling price as established by the Office of Price Administration in Order No. 71 issued under the Maximum Import Price Regulation is \$— each delivered. (Insert \$5.10 for retail sale in states named in paragraph (c) (1) and \$4.95 for retail sale elsewhere in the United States.)

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on February 21, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2831; Filed, Feb. 20, 1945;
11:44 a. m.]

[MPR 88, Order 60]

FUEL OIL, GASOLINE AND LIQUEFIED
PETROLEUM GAS

ESTABLISHMENT OF MAXIMUM PRICES

Order establishing maximum prices for sales between original suppliers pursuant

to assignments under Petroleum Administration for War Directive 59.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 1.2 (b) of Maximum Price Regulation No. 88, It is hereby ordered:

(a) That the maximum prices established by Order No. 50 under Maximum Price Regulation No. 88 shall continue in full force and effect except that the maximum prices therein established for 80-82 Octane ASTM Ethyl grade gasoline shall be the maximum price of 75 Octane ASTM and above gasoline.

(b) This order shall become effective February 26, 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2829; Filed, Feb. 20, 1945;
11:43 a. m.]

[MPR 188, Order 74 Under 2d Rev. Order A-3]

NONPAREIL MANUFACTURING Co.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, It is ordered:

(a) *Manufacturer's maximum prices.* Nonpareil Manufacturing Company, 1400 N. 7th Street, St. Louis 6, Missouri, may sell athletic equipment of its manufacture at prices no higher than its maximum price for such sales in effect immediately prior to the effective date of this order plus an adjustment charge in the amount of 8.4% of the existing maximum price for sales of each article. This adjustment applies only to those items for which maximum prices have been established under Maximum Price Regulation No. 188 prior to the effective date of this order for sales to the United States Government, to other manufacturers, jobbers, retailers, and to schools and institutions. These adjustments may be made and collected only when separately stated on each invoice. Such adjusted prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of the athletic equipment for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) may add to his properly established maximum prices in effect immediately prior to the effective date of this order the dollars-and-cents amount of the adjustment charge which he is required to pay his supplier. However, such adjustment charge may be made and collected on sales to all classes of purchas-

ers except individual ultimate consumers. Such adjusted prices are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of the same or similar articles to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at wholesale at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 74 under Second Revised Order A-3 under Maximum Price Regulation No. 188 permits sellers at wholesale, of the articles covered by this invoice, to increase their maximum prices in effect prior to February 21, 1945 by the dollars-and-cents amounts of the separately stated adjustment charges appearing on this invoice.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of February 1945.

Issued this 20th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2333; Filed, Feb. 20, 1945;
11:44 a. m.]

[RMFR 271, Order 1]

POTATOES AND ONIONS
CARLOT DISTRIBUTION

For the reasons set forth in an opinion accompanying this order, and pursuant to section 21 of Revised Maximum Price Regulation 271, It is ordered:

That country shippers who perform the functions of carlot distribution may make sales and deliveries of potatoes or onions to commercial dehydrators, regardless of whether the buyers are at terminal markets, other wholesale receiving points or elsewhere, subject to an agreement between the buyer and seller, in each case, that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In such sales the seller shall not invoice the goods at a price higher than the maximum price for the particular sale in effect at the time of delivery, nor shall he collect or receive more than that price until appropriate action has been taken by the Office of Price Administration.

This order shall become effective February 19, 1945. It may be revoked or amended at any time, and shall be automatically revoked by the establishment of new maximum prices for the sales described herein.

Issued this 19th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2731; Filed, Feb. 19, 1945;
4:27 p. m.]

Regional and District Office Orders.

[Region I 2d Rev. Order G-1 Under 2d Rev. MPR 269]

POULTRY IN NEW ENGLAND

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2.3 of Second Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Application of this order* This order modifies the provisions of Second Revised Maximum Price Regulation No. 269 with respect to certain sales and deliveries of native poultry items in New England. Except as otherwise provided herein all the provisions of Second Revised Maximum Price Regulation No. 269 shall apply to all sales and deliveries for which maximum prices are provided in this order. Any sale or delivery of native poultry items for which a maximum price is not provided by this order shall remain subject to the provisions of Second Revised Maximum Price Regulation No. 269. For the purposes of this order "native poultry items" shall mean all

broilers, roasters, fryers, stags, capons, fowl and old roosters, hatched from the egg or reared from the day old chick in New England, when sold in any form for human consumption.

(b) (1) *Maximum base prices.* On and after the effective date of this order, the maximum base prices applicable to native poultry items, other than drawn and frozen eviscerated native poultry items, in Table A of section 5.4 (b) of Second Revised Maximum Price Regulation No. 269 are modified, so that, except for drawn and frozen eviscerated native poultry items and except for the sales and deliveries of native poultry items specifically excluded, said Table A shall read as follows:

TABLE A

This Table A shall not apply to any sale or delivery of native poultry items at retail, to retailers, or to ultimate consumers, including commercial, industrial, institutional or governmental users, unless a permitted increase is provided for such sale or delivery in Table B in paragraph (c) (5) of this order, or unless a maximum price is provided for such sale or delivery in paragraph (d) of this order; any such sale or delivery for which such a permitted increase or such a maximum price is not so provided shall be subject to the provisions of Second Revised Maximum Price Regulation No. 269.

Type	Food products (weight) liveweight	Kosher-killed, kosher-dressed and dressed weight	Eastern zone basing-point city (Chicago)			
			Live	Dressed	Kosher killed	Kosher dressed and plucked
Broilers and fryers....	Under 4.....	Under 3½.....	27.5	36.0	35.0	36.5
Roasters.....	4 and over.....	3½ and over.....	27.5	36.0	35.0	36.5
Capons:						
Light.....	Under 6.....	Under 5½.....	27.5	36.0	35.0	36.5
Heavy.....	6 and over.....	5½ and over.....	31.0	39.0	38.0	39.5
Fowl.....	All weights.....	All weights.....	24.0	32.0	31.0	32.5
Stags and old roosters.	All weights.....	All weights.....	20.0	27.5	26.5	28.0

(2) *Monthly adjustments in the maximum base prices for all poultry items other than old roosters.* The maximum base prices established for poultry items other than old roosters in this paragraph (b) shall be in force for the months of July, August, September, October, November and December. For the remaining months of each year, the following additions shall be made to each of such maximum base prices.

Month:	Cents per pound
January.....	0.5
February.....	1.0
March.....	1.4
April.....	1.8
May.....	2.2
June.....	1.0

These additions shall not be added cumulatively, but rather each addition establishes the total amount which may be added to the maximum base price for sales, purchases and deliveries during the month indicated.

(3) *Monthly adjustments in the maximum base prices for old roosters.* The maximum base prices established for old roosters in this paragraph (b) shall be in force for the months of March, April, May, June, July and August.

For the remaining months of each year, the following additions shall be made to each of such maximum base prices.

Month:	Cents per pound
September.....	0.5
October.....	1.0
November.....	1.4
December.....	1.8
January.....	2.2
February.....	1.0

These additions shall not be added cumulatively, but rather each addition establishes the total amount which may be added to the maximum base price for sales, purchases and deliveries during the month indicated.

(c) *Permitted increases.* On and after the effective date of this order, the permitted increases which may be added to the maximum base prices for native poultry items as modified in paragraph (b) of this order shall be as set forth in this paragraph (c)

(1) Any person who transports live native poultry items to the customary receiving point of a processing plant where such live native poultry items are destined for resale by such processing plant as dressed, drawn or frozen eviscerated poultry items other than at retail may sell or deliver such native poultry items to such processing plant at the maximum base prices established herein at such customary receiving point plus 2 cents per pound. For the purposes of this paragraph (c) "processing plant" means any business establishment which

is engaged primarily in the business of converting live poultry into dressed, drawn or frozen eviscerated poultry; it does not mean a city dresser or any person who is engaged primarily in the distribution of poultry at wholesale or retail and who in the course of such distribution incidentally converts live birds into dressed, drawn or frozen eviscerated birds, or dressed birds into drawn or frozen eviscerated birds. No permitted increase is allowed a processing plant for the transportation of live native poultry items to its customary receiving point by itself or through its agents.

(2) Any person who transports live native poultry items to the customary receiving point of a city dresser may sell or deliver such live native poultry items to such city dresser at the maximum base prices established herein at such customary receiving point plus 2 cents per pound. For the purposes of this paragraph (c) "city dresser" means any business establishment which is engaged primarily in the business of buying live poultry items and distributing live dressed or drawn poultry items at wholesale and at retail in the city, town, village or metropolitan area in which such business establishment is located; it shall not mean a processing plant. No permitted increase is allowed a city dresser for the transportation of live native poultry items to its customary receiving point by itself or through its agents.

(3) Any person who transports live native poultry items to the customary receiving point of any farmer's cooperative poultry association may sell or deliver such live native poultry items to such association at the maximum base price established herein at such customary receiving point plus 2 cents per pound. This permitted increase may be added by a farmer's cooperative poultry association selling on behalf of a producer-member live native poultry items delivered to its customary receiving point by such member. No permitted increase may be added by a farmer's cooperative poultry association for the transportation of live native poultry items to its customary receiving point by itself or through its agents.

(4) Any person who transports live native poultry items for a distance of five miles or more to the customary receiving point of a city dresser may sell or deliver such native poultry items to such city dresser at the maximum base prices established herein at such customary receiving point plus the permitted increase allowed in subparagraph (2) of this paragraph (c) and the following permitted increase in cents per pound:

Shortest distance in road miles or railroad miles from the place where transport of live poultry begins to the place where such transport ends

	Maximum permitted increase in cents per pound
Less than 5 miles.....	no increase
5 to 50 miles.....	½
50 to 100 miles.....	¾
100 to 150 miles.....	1
150 miles and over.....	1¼

This permitted increase is not allowed a city dresser for transporting live native

poultry items to its customary receiving point by itself or through its agents.

(5) In sales and deliveries of native poultry items described in Table B below,

the increases as indicated therein may be added to the maximum base prices in Table A in paragraph (b) of this order. These increases shall not be used in con-

nection with any sale or delivery for which a maximum base price is not provided in Table A, paragraph (b) of this order.

TABLE B—MAXIMUM PERMITTED INCREASES FOR CERTAIN SALES OF NATIVE POULTRY ITEMS

Seller	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for "wholesaler" and "hotel supply house" only		
					Non-delivery sales	Delivery within 25 miles	Delivery beyond 25 miles
1. All "wholesalers" who buy live and sell live native poultry items and who have paid out a permitted increase to a live poultry transporter under Paragraph (c) of this Order.	All wholesalers and individual retail stores	Any quantity.....	Any live native poultry item..	Maximum base price at seller's shipping point plus permitted increase established in Paragraph (c) for actual distance live poultry was transported to seller's customary receiving point not to exceed 2 1/4 cents per pound.	Cents 1/2	Cents 1/2	Cents 1/2
2. All "wholesalers".....	Retailers.....	Less than wholesale quantities delivered to buyer's customary receiving point in any one day.	Any native poultry item other than live, drawn or frozen eviscerated native poultry item.	Maximum base price at seller's shipping point.	1	1 1/4	1 1/2
3. All "wholesalers" and hotel supply houses.	Wholesalers or hotel supply houses.	Any quantity received and physically handled by the seller.	Any native poultry item other than a live drawn or frozen eviscerated native poultry item.	Maximum base price at seller's shipping point.	1	1 1/4	1 1/2
4. Hotel supply house.....	Purveyor of meals or institutional users.	Less than 10,000 lbs. warehoused, and physically handled.	Any native poultry item other than a live drawn or frozen eviscerated native poultry item.	Maximum base price at seller's shipping point.	2 1/4	2 1/2	2 3/4

(d) *Sales at retail by producers.* The maximum prices for sales and deliveries of native poultry items other than live, drawn and frozen eviscerated native poultry items by producers at retail provided in § 1429.22 of Revised Maximum Price Regulation No. 269 are hereby modified so that on and after the effective date of this order the maximum prices for such sales and deliveries of native poultry items in New England shall be calculated by adding 1 1/2 cents per pound to the maximum base price at seller's shipping point as provided in Table A in paragraph (b) of this order and multiplying the sum so obtained by 1.18: *Provided*, That in cases of mail order sales the seller may add to such maximum selling price his actual express or mailing expense to the buyer's receiving point. Sales and deliveries of native poultry items by processing plants at retail shall remain subject to the provisions of Revised Maximum Price Regulation No. 269.

(e) This order may be revoked, amended or corrected at any time.

(f) This order shall become effective February 1, 1945.

Issued this 30th day of January 1945.

CHARLES L. FOOTE,
Acting Regional Administrator

[F. R. Doc. 45-2660; Filed, Feb. 16, 1945;
4:37 p. m.]

[Region I Supp. Order 8 Under RMPR 122,
Amdt. 3]

PENNSYLVANIA ANTHRACITE IN BOSTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by

No. 37—7

§ 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The provisions for "Legitts Creek or Black Stork" and "Orange Disc" in paragraph (c) are amended to read as follows:

Kind and size	Amount of addition			
	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 100 lbs.
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea.....	Cents 29	Cents 45	Cents 29	Cents 5
Buckwheat.....	75	49	29	5
Rice.....	35	29	19	None
Orange Disc:				
Broken, egg, stove, chestnut, pea, and buckwheat.....	29	15	5	None
Rice.....	29	19	5	None

This Amendment No. 3 shall become effective as of January 31, 1945.

Issued this 5th day of February 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-2663; Filed, Feb. 16, 1945;
4:38 p. m.]

[Region I Order G-70 Under RMPR 122,
Amdt. 27]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by

§§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122, is amended in the following respects:

1. The provision for "Legitts Creek or Black Stork" in subparagraph (2) of paragraph (c) is amended to read as follows:

Kind and size	Amount of addition			
	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 100 lbs.
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea.....	Cents 29	Cents 45	Cents 29	Cents 5
Buckwheat.....	75	49	29	5
Rice.....	35	29	19	None

2. The provision for "Orange Disc" in subparagraph (2) of paragraph (c) is amended to read as follows:

Kind and size	Amount of addition			
	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 100 lbs.
Orange Disc:				
Broken, egg, stove, chestnut, pea and buckwheat.....	Cents 29	Cents 15	Cents 5	Cents None
Rice.....	29	19	5	None

This Amendment No. 27 shall become effective as of January 31, 1945.

Issued this 2d day of February 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-2664; Filed, Feb. 16, 1945;
4:38 p. m.]

[Newark Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN
NEWARK, N. J., AREA

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority vested in the Newark District Director of the Newark District Office, Region II, by section 2b of Maximum Price Regulation No. 426 and delegation of authority by the Regional Administrator for Region II, this order is hereby issued.

SECTION 1. What this order does. This order establishes maximum markups or prices which a certain named purveyor, or purveyors, located in the Newark District may charge for certain fresh fruits and vegetables sold to commercial and institutional users. The order applies only to sales by the purveyor, or purveyors, named herein (or any other purveyor who may be hereafter added by way of amendment to this order pursuant to section 5 herein) and then only to sales of fresh fruits and vegetables which have been handled and sold in the manner herein defined.

SEC. 2. Where this order applies. This order applies to all purveyor sales as herein defined, by the purveyor, or purveyors, named in section 5 herein or added thereto by amendment.

SEC. 3. Definition of "purveyor" When used in this order the word "purveyor" means a person who meets all the following requirements:

(a) Purchases the kind of fresh fruits and vegetables being priced.

(b) Maintains facilities for washing, trimming, sorting, grading, repacking, plant commercial refrigeration and warehousing, and employ these facilities in connection with the sale of the fresh fruits and vegetables covered by this order and being priced.

(c) Employs salesmen to call on institutional and commercial users.

(d) Makes less than carlot or less than trucklot or less than original container sales to institutional or commercial users such as restaurants, ships, hotels, hospitals, camps, and the War Shipping Administration.

(e) Delivers within the metropolitan area surrounding and including the locality in which his warehousing and selling facilities are located.

(f) Maintains at all times an inventory consisting generally of all fresh fruits and vegetables available.

(g) Extends credit to not less than 75% of all his customers.

(h) Was doing business in the manner described and maintained the facilities enumerated in this section in the calendar year 1942 and continuously thereafter, unless this requirement is specifically waived by the Office of Price Administration.

SEC. 4. What sales by purveyors are covered by this order The prices established by this order may be charged only by the person or persons named in section 5 (a) when all the following conditions are satisfied:

(1) The purchaser is a commercial or institutional user.

(2) The item being sold has been handled and is sold in the manner described in section 3, and

(3) The sale is of broken containers (in no case may the prices fixed by this order be charged for a sale of a listed fresh fruit or vegetable in unbroken containers)

In all other cases the seller must charge no more than the applicable maximum prices provided by Maximum Price Regulation No. 426.

SEC. 5. The purveyors to whom this order applies. (a) This order applies only to the following persons:

Name	Address
B. Finkel & Son	225 Wright St., Newark, N. J.
Victory Hotel & Restaurant Supply Co.	20 Cornella St., Newark, N. J.

Any person who meets the requirements of section 3 may apply in writing to the Office of Price Administration, 20 Washington Place, Newark 2, New Jersey, for recognition as a "purveyor" and permission to charge the prices established by this order. Any application

filed must demonstrate the manner in which the applicant does business and the extent to which he satisfied the requirements of section 3 of this order. If any applicant is to be recognized as a "purveyor" and granted permission to charge the prices fixed by this order, that recognition and permission will be granted by an amendment to this order. Unless and until such recognition and permission are granted the prices fixed herein may not be charged.

SEC. 6. Maximum markups for sales by purveyors to commercial and institutional users. (a) The maximum markups for sales delivered to the premises of any institutional or commercial user, which purveyors covered by this order may add to the "maximum prices for sales delivered to any wholesale receiving point in any quantity" established in accordance with Appendices H, I, J and K set forth in section 15 of Maximum Price Regulation No. 426, shall be those provided in subsection (b) of this section.

(b) Table of maximum markups for sales by purveyors to commercial and institutional users.

Commodity	Standard container and minimum contents	For full repacked standard containers	Maximum markups per pound	
			More than one-half container	One-half container or less
Lettuce:				
(a) Iceberg packed in standard container with minimum contents.	L. A. or Salinas crate with 48 or more heads and 60 pounds net.	\$1.35	\$0.0225	\$0.023
(b) All other, including hothouse and iceberg not packed in standard containers with minimum contents.	Any		1.0225	1.023
Carrots:				
(a) Bunched, each bunch weighing 1 pound or more.	L. A. crate with 72 bunches, each bunch weighing 1 pound.	1.35	.0225	.023
(b) Bunched, bunches weighing less than 1 pound.	Any		.019	.02
(c) Clipped	Any		.014	.016
(d) Topped	Any		.014	.015
Spinach	Bushel 18 pounds net	1.63	.032	.032
Peas	Bushel 28 pounds net	1.12	.041	.041
Beans	Bushel 28 pounds net	1.05	.037	.037
Egg Plant:				
(a) Hamper	Bushel 30 pounds net	.93	.02	.02
(b) Crate	1½ bushels 45 pounds net	1.22	.02	.02
Peppers:				
(a) Hamper	Bushel 25 pounds net	1.12	.029	.029
(b) Crate	1½ bushels 37 pounds net	1.34	.029	.029
Cucumbers (all except hothouse)	Bushel, 48 pounds net	1.01	.021	.021
Apples	Standard boxes-bushels	.92	.02	.02
Grapefruit, white: (a) California and Arizona.	1½ bushels	.98	.016	.016
Grapefruit, pink: (a) California and Arizona.	1½ bushels	.98	.014	.014
Grapefruit, white: Florida (Indian River).	1½ bushels	.94	.012	.012
Grapefruit, white (all others)	1½ bushels	.85	.011	.011
Grapefruit, pink (all others)	1½ bushels	.98	.012	.012
Lemons, all	1½ bushels	1.35	.017	.017
Oranges:				
(a) California and Arizona	1½ bushels	1.43	.015	.015
(b) Indian River	1½ bushels	1.08	.012	.012
(c) All others	1½ bushels	1.03	.012	.012
Tangerines, except California and Arizona.	1½ bushels	1.17	.012	.012

¹ Per dozen bunches.

SEC. 7. Effective date. This order shall become effective at 12:01 a. m. on February 12, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, MPR 426, 8 F.R. 16409, 9 F.R. 790, 902)

Issued this 9th day of February 1945.

RICHARD J. TARRANT,
District Director

FRANCIS D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 45-2665; Filed, Feb. 16, 1945; 4:39 p. m.]

[Region III Rev. Order G-5 Under RMPR 122, Amdt. 4]

SOLID FUELS IN AKRON, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; It is hereby ordered, That paragraph (c) (1), Part II, be amended to read as follows:

(c) *Schedule for sales of coal—(1) Price schedule.*

SCHEDULE I

Column I	Column II	Column III	Column IV
II. High volatile bituminous coals from producing district No. 4 (Ohio) from Ohio No. 8 or middle freight origin districts:			
A. Lump or egg, size group Nos. 1 or 2 (bottom size larger than 2")	\$7.30	\$7.05	\$6.05
B. Egg, size group No. 3 or 4 (top size larger than 2" x bottom size 2" and smaller)	\$7.00	\$6.75	\$5.75

This Amendment No. 4 to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 shall become effective February 5, 1945.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: January 29, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-2654; Filed, Feb. 16, 1945; 4:35 p. m.]

[Region IV Order G-31 Under RMPR 122]

SOLID FUELS IN GREENVILLE COUNTY, S. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall: (1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.*

(1) This price schedule sets forth maximum prices for retail sales of specified sizes, kinds, and quantities of solid fuels

delivered to consumers at any point within the boundary of Greenville County, in the State of South Carolina.

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump or block, size group Nos. 1-4 (including 4", 3", 2", 1" x 6", 3" x 8") in price classifications A-N, inclusive	\$10.20	\$5.10	\$3.05
Egg, size group Nos. 5 and 6 (including 2" x 3", 1" x 3") in price classifications A-N, inclusive	9.70	4.85	2.92
Stoker, size group No. 10 (including 1" x 3", 3/4" x 1") in price classifications A-G, inclusive	9.70	4.85	2.92
Run-of-mine (for domestic consumption)	9.50	4.75	2.83
Nut and slack or screening, size groups No. 18-21 (larger than 3/4" x 6") in price classifications A-E	7.20	3.60	2.20

(2) *Maximum authorized service charges and required deductions—(i) Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than \$1.00 per ton therefor.

(ii) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price \$1.00 per ton.

(iii) *Sacked coal.* Dealer may charge not more than 65¢ for 100 pounds of coal at the yard, and not more than 75¢ for 100 pounds delivered, less 15¢ if sack is not included.

(iv) *Discounts.* On sales of five to nine tons to one customer, the dealer must reduce price 25¢ per ton. On sales of ten to nineteen tons to one customer, the dealer must reduce price 50¢ per ton. On sales of twenty or more tons to one customer, the dealer must reduce price 75¢ per ton. These discounts do not apply on Nut and Slack.

(v) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to alloy dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(vi) *Delivery zone.* For deliveries made more than five miles beyond the corporate limits of the city or township in which the dealers yard is located, the dealer may add not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for such deliveries. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(vii) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

(viii) *Adjustments of prices of sizes of coal covered by this order when purchased from new supply source allocated by SFAW.* (a) In the event the Solid Fuels Administrator for War allocates sizes of coal priced in this order to the area covered hereby from a new source of supply having a higher delivered cost

to the dealer, a dealer purchasing such coal and offering the same for sale to consumers may file an application for adjustment of the prices set by this order to compensate for such higher delivered cost. Dealers desiring such adjustment shall file their application in duplicate with the Columbia District Office, Office of Price Administration, Columbia, South Carolina. Each application so filed shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The normal source of his supply of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) as of October and November, 1944;

(3) The new supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.

(5) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under part (4) of this inferior subdivision (a)), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(b) The increase requested by the applicant shall not be added to the prices established by this order until the district price executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the district price executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of application or of requested additional or corrective information to the district office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be retroactive.

(d) A dealer, in order to make any additions permitted by subdivision (c) (2) (viii), must show the increase as a separate charge on the customer's invoice or sales ticket, bearing the notation "Increase because of SFAW reallocation of supply source"

(ix) *Pricing of new sizes of coal from new supply source allocated by SFAW.* (a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply, and in the event the coal purchased by a dealer from such new supply source is of a size different from the sizes for which prices are set by this order, the maximum price for such different size of coal shall be a price established hereunder upon request for the

establishment of such price by the dealer. No such coal may be sold or offered for sale until a price therefor has been established in accordance with the provisions of this subdivision (c) (2) (ix). The request for establishment of such price shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia, and shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(3) The size of the coal purchased from the dealer's normal source of supply (and having a price established therefor by this order) having a mine cost most nearly equal to the mine cost of the new size from the new supply source; the source of supply of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The requested price for the new size from the new supply source (which shall not exceed the mine cost, plus the delivery cost, plus the dealer's normal mark-up)

(b) The price requested by the applicant shall not be used by the dealer until the regional price executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the price shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the regional price executive. The price may be used, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within 10 days from the date of mailing of the application or of requested additional or corrective information to the regional office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested price, but such disapproval, correction, or modification shall not be retroactive.

(d) *Ex Parte 148 freight rate increase; transportation tax.*—(1) *The freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941, therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum

prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations.* (1) *Licensing and Registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that those records of your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also

keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall within 30 days after the date of delivery of the fuel give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing; the terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(1) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel,

sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery"

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

Note: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued February 5, 1945.

ALEXANDER HARRIS,
Regional Administrator

[F. R. Doc. 45-2666; Filed, Feb. 16, 1945; 4:39 p. m.]

[Region IV Order G-32 under RMPR 122]

SOLID FUELS IN PICKENS COUNTY, S. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices

may, at any time, be charged, paid or offered: or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.*

(1) This price schedule sets forth maximum prices for retail sales of specified sizes, kinds, and quantities of solid fuels delivered to consumers at any point within the boundary of Pickens County, in the State of South Carolina.

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per 1½ ton 2,250 lbs.	Per 1¼ ton 2,000 lbs.
Lump or block, size group No. 3 (including 3½" x 5½" and 5") in price classifications A-E.....	\$2.20	\$3.00	\$2.63
Egg, size group Nos. 4 and 6 (including 3" x 3", 4" x 3") in price classifications A-E.....	0.25	4.83	2.50
Stoker, size group No. 10 (including 1" x 1½" 3½" x 1") in price classifications A-E.....	0.09	4.75	2.50

(2) *Maximum authorized service charges and required deductions—*(1) *Carry from curb.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(ii) *Yard sales.* When buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price 50¢ per ton.

(iii) *Sacked coal.* The dealer may charge not more than 65¢ for 100 pounds of coal at the yard, and not more than 75¢ for 100 pounds delivered.

(iv) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(v) *Delivery zone.* For deliveries made more than five miles beyond the corporate limits of the city or township in which the dealer's yard is located, the dealer may add not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for such deliveries. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(vi) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

(vii) *Adjustments of prices of sizes of coal covered by this order when purchased from new supply source allocated by SFAW* (a) In the event the Solid

Fuels Administrator for War allocates sizes of coal priced in this order to the area covered hereby from a new source of supply having a higher delivered cost to the dealer, a dealer purchasing such coal and offering the same for sale to consumers may file an application for adjustment of the prices set by this order to compensate for such higher delivered cost. Dealers desiring such adjustment shall file their applications in duplicate with the Columbia District Office, Office of Price Administration, Columbia, South Carolina. Each application so filed shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The normal source of his supply of that size of coal (including mine index number) mine cost of such coal, and freight cost (per ton) as of October and November, 1944;

(3) The new supply source of that size of coal (including mine index number) mine cost of such coal, and freight cost (per ton) thereof;

(4) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.

(5) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under part (4) of this inferior subdivision (a)), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(b) The increase requested by the applicant shall not be added to the prices established by this order until the district executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be used until the dealer has furnished such information or made such correction and has received acknowledgement thereof from the district price executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within 10 days from the date of mailing of application or of requested additional or corrective information to the district office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be retroactive.

(d) A dealer, in order to make any additions permitted by subdivision (c) (2) (vii), must show the increase as a separate charge on the customer's invoice or sales ticket, bearing the notation "Increase because of SFAW reallocation of supply source."

(viii) *Pricing of new sizes of coal from new supply source allocated by SFAW*

(a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply, and in the event the coal purchased by a dealer from such new supply source is of a size different

from the sizes for which prices are set by this order, the maximum price for such different size of coal shall be a price established hereunder upon request for the establishment of such price by the dealer. No such coal may be sold or offered for sale until a price therefor has been established in accordance with the provisions of this subdivision (c) (2) (viii). The request for establishment of such price shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia, and shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The supply source of that size of coal (including mine index number) mine cost of such coal, and freight cost (per ton) thereof;

(3) The size of the coal purchased from the dealer's normal source of supply, (and having a price established therefor by this order) having a mine cost most nearly equal to the mine cost of the new size from the new supply source; the source of supply of that size of coal (including mine index number) mine cost of such coal, and freight cost (per ton) thereof;

(4) The requested price for the new size from the new supply source (which shall not exceed the mine cost, plus the delivery cost, plus the dealer's normal mark-up)

(b) The price requested by the applicant shall not be used by the dealer until the Regional price executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the price shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the regional price executive. The price may be used, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within 10 days from the date of mailing of the application or of requested additional or corrective information to the regional office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested price, but such disapproval, correction, or modification shall not be retroactive.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase*. Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941, therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax*. Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment

12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited*. The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV

(f) *Power to amend or revoke*. This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV

(g) *Petitions for amendment*. Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration*. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on revised Maximum Price Regulation No. 122*. To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports*. Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records of your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts*. (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly

visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement*. (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this Order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations*. When used in this order the term: (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyers storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or

storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery"

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective February 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued February 5, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-2667; Filed, Feb. 16, 1945; 4:40 p. m.]

[Region IV Order G-40 Under 18 (c)]

RAW GOAT MILK IN HILLSBOROUGH COUNTY, FLA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation as amended and Revised General Order 32, it is hereby ordered:

(a) *Maximum prices.* No person shall sell and deliver raw goat milk within the boundaries of Hillsborough County, Florida, at wholesale or retail in glass or paper containers at prices higher than those set forth below:

	Wholesale	Retail
	Cents	Cents
Quarts.....	40	50
Pints.....	20	25

(b) *Applicability of the general maximum price regulation and other supple-*

mentary orders of the Office of Price Administration. Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have heretofore or may be hereafter issued. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 as amended and in the General Maximum Price Regulation shall apply to all other terms used herein.

(c) This order may be revoked, amended or corrected at any time.

(d) This order shall become effective January 20, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued: January 23, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-2651; Filed, Feb. 16, 1945; 4:34 p. m.]

[Raleigh District Rev. Order G-1 Under General Order 50, Amdt. 4]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944; *It is hereby ordered*, That Appendix B of Revised Order No. G-1 under General Order No. 50 is amended to read as follows:

APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
BEER				
	Ounces			
Bay State	12	\$0.29	\$0.17	\$0.17
Burger Brau	12	.29	.17	.17
Camden Light Lager	12	.29	.17	.17
Doerschuck	12	.29	.17	.17
Dorquest	12	.29	.17	.17
Dover	12	.29	.17	.17
Ebling's Extra	12	.29	.17	.17
Ehret	12	.29	.17	.17
Esslinger's	12	.29	.17	.17
Genesee	12	.29	.17	.17
Gold Label	12	.29	.17	.17
Gold Medal Tivoli	12	.29	.17	.17
Holland	12	.29	.17	.17
Hornung's	12	.29	.17	.17
Koenig Brau	12	.29	.17	.17
Krueger	12	.29	.17	.17
Lambic	12	.29	.17	.17
Lion	12	.29	.17	.17
Nectar	12	.29	.17	.17
P. O. S.	12	.29	.17	.17
Supreme	12	.29	.17	.17
Bay State	32	.45	.42	.42
Burger Brau	32	.45	.42	.42
Camden Light Lager	32	.45	.42	.42
Doerschuck	32	.45	.42	.42

APPENDIX E—Continued

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
BEER—continued				
<i>Owens</i>				
Dorquest.....	32	\$0.45	\$0.42	\$0.42
Dover.....	32	.45	.42	.42
Ehling's Extra.....	32	.45	.42	.42
Ehret.....	32	.45	.42	.42
Esslinger's.....	32	.45	.42	.42
Genesee.....	32	.45	.42	.42
Gold Label.....	32	.45	.42	.42
Gold Medal Tivoli.....	32	.45	.42	.42
Holland.....	32	.45	.42	.42
Hornung's.....	32	.45	.42	.42
Keonig Brau.....	32	.45	.42	.42
Krueger.....	32	.45	.42	.42
Lambic.....	32	.45	.42	.42
Lion.....	32	.45	.42	.42
Nectar.....	32	.45	.42	.42
P. O. S.....	32	.45	.42	.42
Supreme.....	32	.45	.42	.42
ALE				
Bay State.....	12	.29	.17	.17
Dover.....	12	.29	.17	.17
New England.....	12	.29	.17	.17
Esslinger's Little Man.....	12	.29	.17	.17
Bay State.....	32	.45	.42	.42
Dover.....	32	.45	.42	.42
New England.....	32	.45	.42	.42
Esslinger's Little Man.....	32	.45	.42	.42

For beers and ales bottled in containers of odd sizes, that is, other than 12 oz. or 32 oz. sizes, the maximum price for such odd size bottle shall be calculated by multiplying the number of net ounces of the beverage by 16. The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on caskets. Sellers who are required to pay the Federal excise tax on caskets may add the same to the above prices if such tax is separately stated and collected.

This Amendment No. 4 to Revised Order No. G-1 under General Order No. 50 shall become effective February 1, 1945 and supersedes any provision of the aforesaid revised order or amendments thereto which are inconsistent with the provisions of this amendment.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4803)

Issued this 29th day of January 1945.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 45-2658; Filed, Feb. 16, 1945; 4:35 p. m.]

[Region V Order G-2 Under 18 (e) and Supp. Order 15]

MILK TRANSPORTATION SERVICES IN
MCKINNEY, TEX.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, by section 18, paragraph (e) of the General Maximum Price Regulation and § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; *It is hereby ordered*:

(a) That the maximum price which contract haulers of milk may charge for transporting milk from producers' farms to processors' or buyers' receiving points located in the City of McKinney, Texas, is established to be 40¢ per cwt.

(b) The term contract milk hauler as used in this order refers to a person furnishing the service of transporting whole milk in cans from the producers' farms to market. The term does not include persons who haul milk in tank wagons nor does it include persons who haul milk which they purchase from farmers or other sellers.

(c) Sellers of contract milk hauling services subject to this order must continue to supply the same service which they supplied during March 1942, and must in no way change their business practices which were in effect during this period in connection with the supply of this transportation service.

(d) This order is subject to revocation or amendment at any time hereafter, either by special order or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) Lower prices for any services covered by this order may be charged, offered, demanded or paid.

This order shall become effective on the 2d day of February, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 29th day of January 1945.

W. A. ORTH,
Regional Administrator

[F. R. Doc. 45-2668; Filed, Feb. 16, 1945;
4:41 p. m.]

[Region VI Order G-3 Under MPR 154,
Amdt. 3]

ICE IN MILWAUKEE COUNTY, WIS.

For the various reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 139.38 of Maximum Price Regulation No. 154, as amended, *It is hereby ordered*, That Order No. G-3 be and the same is hereby amended in the following particulars:

(1) The heading of Column 1, in the schedule of prices contained in paragraph (c), is amended to read as follows: "Maximum prices of ice to remain in effect until June 30, 1945."

(2) The heading of Column 2, in the schedule of prices contained in paragraph (c) is amended to read as follows: "Maximum prices of ice to be in effect on and after July 1, 1945."

This amendment shall become effective February 1, 1945.

Issued this 1st day of February 1945.

RAE E. WALTERS,
Regional Administrator

[F. R. Doc. 45-2661; Filed, Feb. 16, 1945;
4:37 p. m.]

[Region VI Order G-107 Under 18 (c)]

MILK HAULING SERVICES IN WAUPUN, WIS.

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation; *It is hereby ordered*.

(a) The maximum price for hauling milk from a producer who shipped milk to the condensery of Libby, McNeill & Libby located at Waupun, Wisconsin, during December 1944, shall be the sum of the following:

1. The amount of the total hauling charge per cwt. borne by the producer during the month of December 1944; and

2. The applicable price to be borne by Libby, McNeill & Libby based upon the distance the milk is hauled, determined as follows:

	Cents per cwt.
Zone 1, up to 5 miles.....	Nothing
Zone 2, five to 8 miles.....	3
Zone 3, eight to 12 miles.....	5
Zone 4, twelve to 16 miles.....	7
Zone 5, over 16 miles.....	8

(b) The maximum price for hauling milk from a producer not shipping milk during December 1944, shall be the amount of transportation expense borne by the producer located nearest to such new producer, plus the additional amount appropriate for the zone in which such producer is located.

(c) This order supersedes Order No. G-55 under §§ 1499.18 (c) and 1499.75 (a) (3) of the General Maximum Price Regulation, "Adjusted Prices for Owner-Operator Milk Haulers in Region VI," with respect to the services for which maximum rates are established by this order.

(d) Libby, McNeill & Libby shall furnish in triplicate to the Milwaukee District Office of the Office of Price Administration on or before February 15, 1945, a statement setting forth the following:

1. The number of separate milk routes currently being operated.
2. Name and address of the hauler serving each route.
3. The name and address of each producer on each route with the amount of the total charge per cwt. of milk borne by him during December 1944.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective February 1, 1945.

Issued this 26th day of January 1945.

RAE E. WALTERS,
Regional Administrator

[F. R. Doc. 45-2659; Filed, Feb. 16, 1945;
4:37 p. m.]

[Region VI Order G-107 Under 9 (a) and
Supp. Order 15]

FLUID MILK IN SHENANDOAH, IOWA

For the reasons set forth in an opinion issued simultaneously herewith, and

under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption having a butterfat content of 4.5% or more at wholesale and retail in Shenandoah, Iowa, shall be the maximum prices determined under the General Maximum Price Regulation or the following prices, whichever shall be higher:

Container size	Wholesale	Retail
	Cents	Cents
Gallons (bottled).....	42	48
½ gallon.....	22	25
Quarts.....	11	13
Pints.....	6	7½
½ pints.....	3½	6

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to Army or Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.
2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Shenandoah, Iowa, area shall mean:

1. All sales made within the city limits of Shenandoah, Iowa, and all sales delivered from an establishment located in Shenandoah, Iowa.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Shenandoah, Iowa.

(d) *Definitions.* 1. Sales at wholesale shall include all delivered sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

2. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration Regulations.* Ex-

cept as modified by this order, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 12, 1945.

Issued this 6th day of February 1945.

RAE E. WALTERS,
Regional Administrator

[F. R. Doc. 45-2653; Filed, Feb. 16, 1945;
4:34 p. m.]

[Region VII 2d Rev. Order G-24 under
RMPR 122]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Economic Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, Revised Order No. G-24 (9 F.R. 7905, 9701, 9930, 14703) under Revised Maximum Price Regulation No. 122 is hereby redesignated Second Revised Order No. G-24 under Revised Maximum Price Regulation No. 122 and is revised and amended to read as follows:

(a) *What this order does.* This Second Revised Order No. G-24 permits dealers in Region VII for whom specific maximum prices have heretofore been established by this regional office in any specified trade area by an adjustment order issued under § 1340.259 (a) or by a community pricing order under § 1340.260 of Revised Maximum Price Regulation No. 122, to add to their specific maximum prices so established, the amounts set forth in Appendix A of paragraph (d) hereof, when they sell coal purchased by them from one of the high-cost mines named in said Appendix A.

(b) *When dealers may increase their specific maximum prices to cover an increase in the maximum prices of a high-cost producer.* If you are a dealer selling any kind, class, or grade of coal for which your maximum price has been established by an adjustment order issued under § 1340.259 (a) or a community pricing order under § 1340.260 of Revised Maximum Price Regulation No. 122 by this Region VII of the Office of Price Administration for the trade area in which your place of business is located and you buy coal from any one or more of the high-cost mines listed in Appendix A of paragraph (d) hereof, you may add to your specific maximum prices, as established by such area adjustment order, or such community pricing order, the amount of such increase allowed your supplier as is set forth in said Appendix A, from and after the effective date specified in said Appendix A.

(c) *Limitations.* This order permits you to add to your specific maximum prices the amount shown in Appendix A only as to coal actually purchased by

you from one or more of the high-cost mines listed in Appendix A, and does not permit you to add such increase to your specific maximum prices for such coal when purchased from any other supplier or when purchased prior to December 3, 1943.

(d) *Appendix A.* The following mines have been by the Washington Office of the Office of Price Administration designated high-cost mines and authorized to increase their f. o. b. mine prices per ton of coal, in the amounts and as of the effective dates set forth below:

I. MINES IN DISTRICT 17

Operator	Sub-district	Index No.	Size groups	Amount	Effective date
(1) Huerfano Coal Co. Ludlow.....	7	47	10 and 13.....	Cents 10	11-21-44
(2) Moffat Coal Co. Moffat Nos. 1 and 2.....	4	51	All.....	15	11-23-44
(3) The Victor American Fuel Co.: Pinnacle.....	4	62	All.....	15	1-27-45
Wadsworth.....	6	82	All.....	10	1-24-44
(4) Butte Valley Coal Co. Butte Valley.....	1	17	1 thru 12..... 13 thru 16..... 17 and 18..... 19.....	10 20 25 10	7-31-44 7-31-44 7-31-44 7-31-44
(5) Ramsey Coal Co. Ramsey No. 1.....	5	210	All.....	20	4-20-44
Ramsey No. 2.....	5	21	All.....	20	4-20-44
(6) Garfield Coal Co. Garfield.....	15	53	3..... 5..... 10 and 11.....	15 20 20	7-31-44 7-31-44 7-31-44
(7) Celony Coal Co. Mt. Streeter (Red Wing Coal).....	5	232	All.....	20	7-8-44
(8) Domestic Coal Co. Streeter.....	5	75	All.....	20	7-8-44

II. MINES IN DISTRICT 19

(1) Celony Coal Co.: Peacock.....	2	18	1 and 2..... 3 thru 6..... 7..... 8 and 9..... 13..... 15 and 16.....	15 25 5 25 15 25	6-14-44 6-14-44 6-14-44 6-14-44 6-14-44 6-14-44
(2) Lion Coal Corporation: Star.....	2	24	All.....	20	1-24-44
(3) Rock Springs Fuel Co.: Kleen Fyre No. 1.....	2	13	1 thru 17.....	35	4-1-44
(4) Gunn Queally Coal Co.: Sweetwater No. 2.....	2	29	15.....	15	3-23-44

III. MINES IN DISTRICT 29

(1) Hi-Heat Coal Co. Rains No. 2.....	1	17	1 thru 9..... 10 thru 15.....	40 35	4-1-44 7-17-44
(2) Hudson Coal Co. Sweet.....	1	23	1 thru 6..... 7 thru 15.....	25 50	4-20-44 4-20-44
(3) Royal Coal Co.: Royal.....	1	17	10 thru 15.....	20	2-24-44
(4) Spring Canyon Coal Co.: Spring Canyon.....	1	29	10 thru 15.....	20	6-14-44
(5) Standard Coal, Inc.: Standard.....	1	21	All.....	20	12-15-43
(6) Western Coal Mining Co.: Western.....	1	11	1 thru 9..... 10 thru 12..... 13..... 14 and 15.....	20 20 75 20	4-1-44 4-1-44 4-1-44 4-1-44

This Appendix A has been now brought up to date by incorporating therein the changes required by Order No. 1266 under Maximum Price Regulation No. 120, issued by the Washington Office of the Office of Price Administration on January 22, 1945, and all similar orders issued prior thereto. This Appendix A will be kept current by amendments issued from time to time to cover additional orders, if any, under Maximum Price Regulation No. 120 issued by the Washington Office of the Office of Price Administration.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of

the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended by the Administrator or the Regional Administrator at any time.

(g) *Effective date.* This Second Revised Order No. G-24 shall become effective February 5, 1945.

Issued this 3d day of February 1945.

JOSEPH W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 45-2652; Filed, Feb. 16, 1945;
4:34 p. m.]

[Region VII Rev. Order G-24 Under
RMFR 122, Rev. Amdt. 2]

SOLID FUELS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons

set forth in the accompanying opinion, this Revised Amendment No. 2 is issued.

1. Paragraph (d), Appendix A, I, *Mines in District 17* is amended by deleting therefrom all of subparagraphs (1), (2), (3) and (6) and by amending subparagraphs (4), (5) and (8) to read as follows:

Operator	Sub-district	Index No.	Size groups	Amount	Effective date
4) The Victor American Fuel Co., Pinnacle.....	4	62	1 thru 5.....	Cents 30	7-31-44
			6.....	20	7-31-44
			7 and 9.....	30	7-31-44
			10.....	40	7-31-44
			11.....	20	7-31-44
			12.....	10	7-31-44
			13 thru 19.....	20	7-31-44
			All.....	10	1-24-44
Wadge.....	5	82			
(6) Butte Valley Coal Co., Butte Valley.....	1	17	1 thru 12.....	10	7-31-44
			13 thru 16.....	30	7-31-44
			17 and 18.....	25	7-31-44
			19.....	10	7-31-44
(8) Garfield Coal Co., Garfield.....	15	33	3.....	15	7-31-44
			5.....	30	7-31-44
			10 and 11.....	30	7-31-44

2. This Revised Amendment No. 2 supersedes Amendment No. 2 as of the effective date of this Revised Amendment No. 2.

3. This Revised Amendment No. 2 shall become effective on September 13th 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator

[F. R. Doc. 45-2650; Filed, Feb. 16, 1945;
4:34 p. m.]

[Region VII Rev. Order G-55 Under 18 (c)]

LADDERS IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, Order No. G-55 (9 F.R. 14411, 10 F.R. 92) under § 1499.18 (c) of the General Maximum Price Regulation is hereby redesignated Revised Order No. G-55 under § 1499.18 (c) of the General Maximum Price Regulation, and made to read as follows:

(a) *Geographical applicability.* This Revised Order No. G-55 shall apply to and be of force and effect only in the following portion of Region VII:

All that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, the State of Utah, all that part of Coconino and Mohave Counties in the State of Arizona lying north of the Colorado River, and all that portion of the States of Wyoming and Colorado lying West of the Continental Divide.

(b) *Adjusted maximum prices.* On and after the effective date hereof, the maximum prices for ladders manufactured by Larson Ladder Company of Los

Angeles and San Jose, California, herein identified by the manufacturer's lot number and description as set forth in its illustrated catalogue on file herein as a part of the record in this case, when sold f. o. b. at wholesale and at retail in that portion of Region VII described in paragraph (a) above, shall be as follows:

Manu- fac- turer's lot No.	Description	Maximum f. o. b. prices	
		Wholesale	Retail
332	Stepladders (for industrial use):	Per ft.	Per ft.
	4 to 12 ft.....	\$0.63	\$1.02
	14 to 16 ft.....	.75	1.13
	18 to 20 ft.....	.84	1.28
1330	4 to 12 ft.....	1.19	1.79
	14 to 16 ft.....	1.27	1.90
	18 to 20 ft.....	1.35	2.03
	Ladders (combination, mechanical, etc., for industrial use):		
1882	16 to 40 ft.....	.53	.80
	44 to 48 ft.....	1.00	1.50
1990	16 to 40 ft.....	.61	.92
	44 to 48 ft.....	.64	.96
2020	16 to 40 ft.....	.73	1.09
	44 to 48 ft.....	.76	1.14
1660	12 to 32 ft.....	.63	.95
1662	12 to 32 ft.....	.63	.95
2220	6 to 10 ft.....	.53	.80
	4, 5 & 6 ft. (middle).....	.53	.80
	4, 5 & 6 ft. (bottom).....	.53	.80
1440	Trestles:		
	6 to 20 ft.....	1.05	1.58
1550	6 ft. extended 10 ft.....	Per pr.	Per pr.
	8 ft. extended 13 ft.....	\$19.00	\$28.50
	10 ft. extended 17 ft.....	25.00	37.50
	12 ft. extended 21 ft.....	30.95	46.45
	14 ft. extended 25 ft.....	37.95	56.95
	16 ft. extended 28 ft.....	45.50	68.25
		50.00	75.00
1442	Scaffolds:	Each	Each
	12 ft. (6 ft. closed: 10½' ext.).....	\$5.30	\$7.95
	14 ft. (7 ft. closed: 12½' ext.).....	6.30	9.45
	16 ft. (8 ft. closed: 14' ext.).....	7.00	10.50
	20 ft. (10 ft. closed: 17½' ext.).....	8.80	13.20
2330	Stages (without guardrail):	Per ft.	Per ft.
	12' x 12' to 20'.....	\$0.80	\$1.20
	12' x 12' to 20'.....	0.86	1.44
	16' x 12' to 20'.....	1.07	1.60
	20' x 24' to 12' to 20'.....	1.07	1.60
2660	Orchard ladders:		
	6 to 12 ft.....	.59	.85
	14 to 20 ft.....	.63	.92
2663	6 to 12 ft.....	.67	.95
	14 to 20 ft.....	.62	.93
1992	20 to 40 ft.....	.68	.87
2880	10 to 20 ft.....	.47	.71

* For Nos. 1882, 1990, and 2020 in three sections add \$0.12 per ft. wholesale and retail.

(c) *Customary discounts and differentials must be maintained.* Wholesalers and retailers selling Larson Ladders covered by this order must maintain the discounts, quantity discounts, and price differentials heretofore customarily given, extended, or allowed by them on their sales of ladders.

(d) *Applicability of other regulations.* This Revised Order No. G-55 supersedes Order No. G-55 as of the effective date hereof. But except as to the price adjustments made herein by this Revised Order No. G-55, all sellers covered hereby shall as to the commodities in question remain subject to the terms and provisions of the General Maximum Price Regulation and must continue to comply therewith.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Effective date.* This Revised Order No. G-55 shall become effective on the 6th day of February 1945.

Issued this 6th day of February 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-2655; Filed, Feb. 16, 1945;
4:35 p. m.]

[Region VIII Order G-43 Under 18 (c),
Amdt. 1]

FIREWOOD IN PEND OREILLE COUNTY, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the district director of the Spokane District Office of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32; *It is hereby ordered*, That paragraph (b) (3) be amended to read as follows:

(3) Rick prices shall be as indicated below:

	1 rick	2 ricks	3 ricks
12" WOOD			
Delivered to consumer's premises.....	\$3.60	\$0.80	\$0.70
16" WOOD			
Delivered to consumer's premises.....	4.70	8.05	-----
24" WOOD			
Delivered to consumer's premises.....	6.65	-----	-----

Paragraph (c) is amended by adding to it subparagraph (3) as follows:

(3) Rick prices shall be as indicated below:

	1 rick	2 ricks	3 ricks
12" WOOD			
Delivered to consumer's premises.....	\$2.55	\$4.80	\$8.90
16" WOOD			
Delivered to consumer's premises.....	3.30	6.15	-----
24" WOOD			
Delivered to consumer's premises.....	4.70	-----	-----

This amendment shall become effective upon issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7371 and E.O. 3328, 8 F.R. 4631)

Issued this 1st day of February 1945.

DAVE S. COHN,
District Director

[F. R. Doc. 45-2656; Filed, Feb. 16, 1945;
4:35 p. m.]

[Region VIII Order G-17 Under 3 (e)]

BAMBOO LEAF RAKES IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator of the Office of Price Administration by § 1499.3 (a) of the General Maximum Price Regulation; *It is hereby ordered.*

(a) The maximum wholesale price for bamboo leaf rakes, each consisting of 16 tines 13 inches in length and ½ inch in width, with a handle constructed of ¾ inch bamboo, 56 inches long, manufactured by M. E. Thompson of Fresno, California, and the maximum retail price for sales by persons who are unable to establish a price therefor under § 1499.2 of the General Maximum Price Regulation, shall be as follows:

	Each
Maximum wholesale price.....	\$0.45
Maximum retail price.....	.60

(b) This order shall apply to sales in the following counties in the State of California: Fresno, Kern, Kings, Madera, Mariposa, Merced, Stanislaus and Tulare.

(c) This order shall be subject to revocation or amendment at any time hereafter, either by special order or by any price regulation issued hereafter, the provisions of which may be contrary hereto.

(d) This order shall become effective February 3, 1945.

Issued this 1st day of February, 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-2657; Filed, Feb. 16, 1945;
4:36 p. m.]

[Region VIII Order G-35 Under MPR 329]

FLUID MILK IN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 323; *It is hereby ordered:*

(a) A permitted addition to the maximum prices established under § 1351.402 of Maximum Price Regulation No. 323 may be paid by any purchaser located in Conway, Washington, to any producer from whom he purchased milk during the year 1944: *Provided*, The following conditions are met:

1. The permitted addition must be paid before March 15, 1945.

2. The amount of the permitted addition, with respect to milk delivered during the year ending December 31, 1944, shall not exceed \$0.04 for each pound of butter-fat purchased from that producer in 1944.

(b) *Definitions.* All of the terms used in this order shall have the same meaning as in Maximum Price Regulation No. 329, unless the context clearly requires otherwise.

(c) This order may be revoked, amended, or corrected at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHAS. R. BAIRD,
Regional Administrator.

Approved:

A. D. HURLEY,
Acting Officer in Charge,
Dairy and Poultry Branch,
Office of Marketing Service,
Western Region,
War Food Administration.

[F. R. Doc. 45-2662; Filed, Feb. 16, 1945;
4:37 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File 7-701, 7-702, 7-703, 7-704, 7-705, and 7-710]

LUKENS STEEL CO., ET AL.

ORDER DENYING APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES AND GRANTING ONE SUCH APPLICATION SUBJECT TO CONDITIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of February, A. D. 1945.

In the matter of applications by the New York Curb Exchange to extend unlisted trading privileges to Lukens Steel Company, Common Stock, \$10 Par Value, File No. 7-701, Merck & Co., Inc., Common Stock, \$1 Par Value, File No. 7-702; Northern Natural Gas Company, Common Stock, \$20 Par Value, File No. 7-703; Public Service Company of Indiana, Inc., Common Stock, Without Par Value, File No. 7-704; The Warner & Swasey Company, Common Stock, Without Par Value, File No. 7-705; and Puget Sound Power & Light Company, Common Stock, \$10 Par Value, File No. 7-710.

The New York Curb Exchange having filed applications pursuant to section 12 (f) (3) of the Securities Exchange Act

of 1934 for permission to extend unlisted trading privileges to the common stocks of Lukens Steel Company, Merck & Co., Inc., Northern Natural Gas Company, Public Service Company of Indiana, Inc., The Warner & Swasey Company, and Puget Sound Power & Light Company; hearings having been held after appropriate notice, requests for findings, a trial examiner's report and exceptions thereto and supporting briefs having been filed and oral argument heard; the Commission being duly advised and having this day issued its findings and opinion herein, on the basis of said findings and opinion

It is ordered, That all the applications, with the exception of the application respecting the common stock of Northern Natural Gas Company be, and they are hereby, denied; and

It is further ordered, That the application respecting the common stock of Northern Natural Gas Company be, and it is hereby granted, subject, however, to the following terms and conditions:

(1) That the privilege to trade the said common stock of Northern Natural Gas Company unlisted shall end if and when the said Northern Natural Gas Company shall cease to be a registered holding company pursuant to the Public Utility Holding Company Act of 1935.

(2) That the said privilege, after appropriate notice and opportunity for hearing, shall be subject to re-examination and withdrawal or modification if there should come into being a holder of more than 10 per centum of the equity securities of Northern Natural Gas Company which owner shall not be a registered holding company or a subsidiary thereof under the Public Utility Holding Company Act of 1935.

(3) That the exemption afforded by Rule X-12F-4 of the general rules and regulations under the Securities Exchange Act of 1934 from the provisions of section 16 (c) as applied to its officers and directors shall be terminated respecting Northern Natural Gas Company, and the exemption afforded by the said rule from the provisions of section 14 (b) of the said act shall be terminated respecting the common stock of the said company.

(4) That the New York Curb Exchange shall forthwith mail to each officer and director of Northern Natural Gas Company a copy of this order and of section 16 of the Securities Exchange Act of 1934.

(5) That the right is reserved to the Commission to modify this order after appropriate notice and opportunity for hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-2800; Filed, Feb. 20, 1945;
11:13 a. m.]

[File 7-732]

WARNER & SWASEY CO.

FINDINGS AND ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 19th day of February, A. D. 1945.

In the matter of application of the Cleveland Stock Exchange to extend unlisted trading privileges to the Warner & Swasey Company Common Stock, Without Par Value, File No. 7-732.

The Cleveland Stock Exchange, having applied pursuant to section 12 (f) (3) of the Securities Exchange Act of 1934 for permission to extend unlisted trading privileges to the no-par value common stock of Warner & Swasey Company, a hearing having been held after due notice, a trial examiner's report having been filed, the Commission being duly advised and having considered the matter in conjunction with the application of the New York Curb Exchange for permission to extend unlisted trading privileges to the said no-par value common stock of Warner & Swasey Company and to certain other securities, and finding that there do not exist, with relation to the said securities, duties substantially equivalent to those which attach with respect to registered securities pursuant to sections 14 and 16 of the Securities Exchange Act of 1934, and having concluded, for reasons similar to those expressed in the opinion of the Commission in Application of the New York Curb Exchange to Extend Unlisted Trading Privileges, this day issued (Securities Exchange Act Release No. 3658) not to impose such duties by terms and conditions, and that it would not best serve the public interest and the protection of investors to grant the application.

It is ordered, That the said application be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-2799; Filed, Feb. 20, 1945;
11:13 a. m.]

[File 70-242]

CITIES SERVICE CO.

NOTICE OF FILING OF APPLICATION AND DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of February, A. D. 1945.

Notice is hereby given, that an application and declaration have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party and

Notice is further given, that any interested person may, not later than March 3, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application and declaration, as filed or as amended, may be granted or may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Ex-

change Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application and declaration which are on file in the office of said Commission for a statement of the transactions therein proposed which are summarized below:

Cities Service Company is a registered holding company and, in addition to having investments in and owning securities of public utility and public utility holding companies, owns bonds, stocks, notes and other securities of and open account advances to various subsidiaries which are engaged in the petroleum business, the real estate business, and the business of producing and transporting natural gas, which subsidiaries include Arkansas Fuel Oil Company, Cities Service Oil Company (Delaware) Cities Service Oil Company (Pennsylvania) Cities Service Oil Company, Limited, Empire Gas and Fuel Company, Empire Pipeline Company, Richfield Oil Corporation, Cities Service Gas Company, Natural Gas Pipeline Company of America, Penn-York Natural Gas Corporation, Sixty Wall Tower, Inc., Sixty Wall Street, Chesebrough Building Company, Texoma Natural Gas Company, Cities Service Defense Corporation, Cities Service Refining Corporation, Cities Service Transportation and Chemical Company, Sinclair Panama Oil Corporation, and Tampico-Texas Petroleum Corporation.

Cities Service Company proposes to increase the aggregate amount of its investments in securities of and advances to the above named companies, in its discretion, to the extent of \$12,000,000, said investments to be in addition to any investments permitted by Rule U-3D-15.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-2797; Filed, Feb. 20, 1945;
11:13 a. m.]

[File 70-1020, 68-46]

WESTERN LIGHT & TELEPHONE CO., AND
KANSAS POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of February, A. D. 1945.

Notice is hereby given, that joint declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Western Light & Telephone Company (Western) a registered holding company, and The Kansas Power Company (Kansas), a subsidiary company of Western.

All interested persons are referred to said documents which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

I. *Introductory.* 1. Pursuant to an order of this Commission dated April 17, 1944 (Holding Company Act Release No. 4998), Western acquired all of the com-

mon stock of Kansas subject to certain specified terms and conditions.

2. Western and Kansas have outstanding as of October 31, 1944 the following securities:

Kansas	Par value or principal amount
First mortgage bonds, 4%, Series A	\$5,000,000
\$6 Cumulative preferred stock, 15,532 shs., no par value	1,553,200
\$7 Cumulative preferred stock, 3,764 shs., no par value	376,400
Common stock, 160,000 shs., no par value (all owned by Western)	1,800,000
Western	
First mortgage and collateral bonds, 3½%, Series B	\$1,189,000
7% Cumulative preferred stock, 74,765 shs., \$25 par value	1,869,125
Common stock (\$1 par)	1,188,320
Unsecured serial note, 2½%	375,000

II. *Proposed merger and security issues.* 1. It is proposed that Western, a Delaware corporation, be merged into Kansas, a Kansas corporation, as the surviving corporation under the name of Western Light & Telephone Company, Inc. (Western Inc.), said merger to be effected pursuant to an agreement of merger and the statutes of the States of Kansas and Delaware.

2. Western has issued and outstanding 74,765 shares of 7% preferred stock (\$25 par value), having a redemption price of \$27.50 per share. Kansas has outstanding 15,532 shares of \$6 preferred stock without par value, having a redemption price of \$106 per share, and 3,764 shares of \$7 preferred stock without par value, having a redemption price of \$107 per share. It is proposed that Western Inc. will be authorized to issue 5% preferred stock (\$25 par value) having a redemption price of \$27.75 per share for the first three years, \$27.50 per share for the next three years, \$27.25 per share for the following three years and \$27 per share thereafter, plus accrued dividends in each case. It is further proposed that for each share of 7% preferred stock of Western, holders will be entitled to receive one share of 5% preferred stock of Western Inc. plus a payment in cash for each share, and of the \$6 preferred stock and the \$7 preferred stock of Kansas, holders will be entitled to receive four shares of 5% preferred stock of Western Inc. plus a payment in cash for each share. The proposed cash payment in each case would equal the difference between the redemption price on the presently outstanding preferred stocks and the estimated fair market value of the 5% preferred stock to be issued in exchange, and will be determined at the time the agreement of merger is submitted to the stockholders of the constituent companies. It is also proposed that holders of preferred stock in the constituent companies will be paid dividends accrued to the date of merger.

3. Western has issued outstanding 1,188,320 shares of common stock (\$1 par value) It is proposed that the holders of such common stock will receive one share of the common stock of Western Inc. (\$10 par value) for each five shares

of common stock of Western. Since Western is the owner of all the issued and outstanding common stock of Kansas, no shares of common stock of Western Inc. will be issued in exchange for the common stock of Kansas and said stock will be cancelled.

4. It is proposed to submit said agreement of merger to the stockholders of the constituent companies and upon approval by the holders of the requisite number of shares as required by the laws of the States of Delaware and Kansas, respectively, the agreement of merger will be put into effect.

5. Stockholders who do not desire to exchange their shares of the constituent companies for the securities of Western Inc. will be entitled, under the laws of both Kansas and Delaware, to dissent and to receive the appraised value of their shares in cash. It is proposed to enter into an underwriting agreement providing for the sale to a responsible underwriter or a group of responsible underwriters of those shares of preferred stock of Western Inc. which are not accepted in exchange by the preferred stockholders of the constituent companies. The proceeds from the sale of such preferred stock not so issued in exchange will be used to provide the funds with which to pay the dissenting stockholders.

6. In the event that preferred stockholders of either constituent company dissent in writing at the meeting held to consider the agreement of merger, but subsequently decide to purchase 5% preferred shares of Western Inc., the right is reserved to issue and sell additional preferred shares for such purpose. The proceeds of such sales are proposed to be used for the retirement of debt or preferred stock of Western Inc.

7. No underwriting agreement is contemplated with respect to shares of common stock of Western Inc. not issued to dissenting common stockholders of Western.

8. It is proposed to include as part of the underwriting agreement an arrangement pursuant to which the underwriter or underwriters will assist in the solicitation from stockholders of the constituent companies of their proxies authorizing a vote in favor of the agreement of merger.

9. Western has outstanding First Mortgage and Collateral Bonds (3¾%) Series B, due May 1, 1965, in the principal amount of \$1,189,000, all held by John Hancock Mutual Life Insurance Company. Kansas has outstanding First Mortgage Bonds (4%), Series A, due July 1, 1964, in the principal amount of \$5,000,000, all held by the public. Incident to the proposed merger, Western, Inc. proposes to refinance both issues of bonds through the issuance and sale of \$6,200,000 of 3¾% First Mortgage Bonds to be due in 30 years.

III. General. 1. Western and Kansas request that the Commission grant an exemption from the requirements of Rule U-50 (competitive bidding rule) in the proposed issuance of new bonds and preferred stock.

2. Western and Kansas have filed a declaration on Form U-R-1 requesting

approval by the Commission of the solicitation of proxies from the stockholders of the respective companies.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said declarations and applications shall not be permitted to become effective or granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said Act and the rules of this Commission thereunder be held on March 7, 1945, at 10:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held. At such hearing, cause shall be shown why such declarations shall be permitted to become effective and such applications granted.

It is further ordered, That Robert P. Reeder or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in the proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed merger of Western and Kansas will serve the public interest by tending toward the economical and efficient development of an integrated public utility system.

2. Whether the bonds and preferred stock proposed to be issued and sold are reasonably adapted to the security structure and prospective earning power of the surviving company (Western Inc.) whether the fees, commissions or other remuneration to be paid in connection with the issue, sale or distribution of the securities are reasonable and whether the terms and conditions of said proposed issues and sales are detrimental to the public interest or the interest of investors or consumers.

3. The appropriateness, in the public interest and for the protection of investors and consumers, of excepting the proposed issues and sales of securities from the competitive bidding requirements of Rule U-50.

4. Whether the declaration regarding the proxy solicitation material should be permitted to become effective.

5. Whether the proposed transactions are detrimental to the carrying out of the provisions of section 11 (b) of the act.

6. Whether the proposed accounting entries to be recorded on the books of Western Inc. in connection with the proposed transactions will be in conformity with the standards of section 15 of the act and the applicable rules and regulations promulgated thereunder.

7. Whether State laws regarding the proposed security issues have been complied with.

8. Generally, whether the proposed transactions are in all respect in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That jurisdiction be, and is hereby, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to the merger, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That notice of said hearing is hereby given to Western Light & Telephone Company, The Kansas Power Company, to their respective security holders, Kansas State Corporation Commission, Public Service Commission of Missouri, Federal Power Commission, and to all interested persons; said notice to be given to Western Light & Telephone Company, The Kansas Power Company, Kansas State Corporation Commission, Public Service Commission of Missouri and the Federal Power Commission by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before February 26, 1945, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-2793; Filed, Feb. 20, 1945;
11:13 a. m.]

SURPLUS PROPERTY BOARD.

[Temporary Reg. A]

FOREIGN DISPOSAL

SECTION 1. This temporary regulation is issued under the authority vested in the Board by the Surplus Property Act of 1944 (Public Law 457, 78th Congress). Although it is preliminary and incomplete, it is issued at this time in order to permit the organization of foreign disposal operations without further delay. Definitive and complete regulations on foreign disposal are being prepared and, when issued, will supersede this temporary regulation.

SEC. 2. This temporary regulation governs the disposal of surplus property located outside of the continental United States, its territories and possessions.

SEC. 3. All terms defined in the Surplus Property Act of 1944 shall have the same meanings in this Temporary Regulation.¹

SEC. 4. The assignment in Surplus War Property Administration Regulation No. 1 (9 F.R. 5096, 9182 and 12069) of surplus property located outside of the continental United States, its territories and possessions, to the Foreign Economic Administration for disposition, is hereby rescinded and superseded. Except as provided in this paragraph, Surplus War Property Administration Regulation No. 1 remains in full force and effect until further action of the Board. Nothing in this Temporary Regulation limits or affects the authority of commanders in active theaters of military operations with respect to property in their control.

SEC. 5. Each owning agency is hereby designated as the disposal agency for all surplus property in its control located outside of the continental United States, its territories and possessions, except (a) aircraft and related items, which shall continue to be disposed of by the Foreign Economic Administration until the Surplus Property Board shall otherwise direct, and (b) vessels as defined in section 10 (b) of the Surplus Property Act of

¹ (a) The term "Government agency" means any executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

(b) The term "owning agency" in the case of any property, means the executive department, the independent agency in the executive branch of the Federal Government, or the corporation (if a Government agency), having control of such property otherwise than solely as a disposal agency.

(c) The term "disposal agency" means any Government agency designated under Section 10 to dispose of one or more classes of surplus property.

(d) The term "property" means any interest, owned by the United States or any Government agency, in real or personal property, of any kind, wherever located, but does not include (1) the public domain, or such lands withdrawn or reserved from the public domain as the Surplus Property Board (created by section 5) determines are suitable for return to the public domain for disposition under the general land laws, or (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines.

(e) The term "surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with section 11.

(f) * * *

(g) The term "care and handling" includes completing, repairing, converting, rehabilitating, operating, maintaining, preserving, protecting, insuring, storing, packing, handling and transporting, and, in the case of property which is dangerous to public health or safety, destroying or rendering innocuous, such property.

(h) The term "person" means any individual, corporation, partnership, firm, association, trust, estate, or other entity.

(i) * * *
(j) * * *
(k) * * *

1944. With the approval of the Board disposal agencies are authorized to act jointly and to delegate the authority and responsibility for the disposal of their surpluses under this temporary regulation to an official or committee of officials, or to a Government agency.

SEC. 6. In accordance with section 32 (b) of the Surplus Property Act of 1944, the Board hereby exempts disposition of property located outside the continental United States, its territories and possessions, from the following provisions of the act, since it deems that such provisions would obstruct the efficient and economic disposition of such property in accordance with the objectives of the act.

(a) The last sentence in section 11 (g) in so far as it permits public inspection of disposal records by foreign nationals,

(b) Section 13, subsections (a) (c), (d) (e) and (f) "Disposal to Local Governments and Non-profit Institutions"

(c) Section 17, "Dispositions in Rural Areas"

(d) Section 18, "Small Business"

(e) Section 20, "Applicability of Antitrust Laws" except as it applies to plants, pipe lines, and other installations which cost the Government \$1,000,000 or more, and patents, processes, techniques or inventions, irrespective of cost,

(f) Section 22, "Stock Piling"

(g) Section 23, "Disposal of Surplus Real Property"

(h) Section 36, "Termination Inventories"

SEC. 7. Any surplus property and any waste, salvage or scrap located outside of the continental United States, its territories and possessions, may be disposed of by destruction or abandonment (a) when the destruction or abandonment is required by military necessity, safety or considerations of health or security or (b) whenever it is determined by an authorized representative of the disposal agency that the property has no commercial value, or that the cost of its care, handling and disposition would exceed the estimated realization.

SEC. 8. (a) Surplus aircraft plants and facilities and aircraft and aircraft parts, shipyards and facilities, transportation facilities, and radio and electrical equipment, located outside of the continental United States, its territories and possessions, may, in accordance with section 19 (c) of the act, be disposed of without prior submission to Congress.

(b) Surplus aircraft and parts peculiar to aircraft located outside of the continental United States, its territories and possessions, shall be disposed of only in accordance with existing procedures and such special directions as the Surplus Property Board may issue.

(c) Whenever any disposal agency shall begin negotiations for the disposition of any plants, pipe lines, or other installations located outside of the continental United States, its territories and possessions, which cost the Government \$1,000,000 or more, the disposal agency shall promptly notify the Surplus Property Board.

SEC. 9. Disposals of surplus agricultural commodities, surplus foods proc-

essed from agricultural commodities and surplus cotton or woolen goods remain subject to the provisions of sections 21 (a) and (b) of the Surplus Property Act of 1944. However, pending further action by the Board and the War Food Administrator, pursuant to the statutory provisions, disposals of these items may be made in accordance with the policy enunciated in this temporary regulation.

SEC. 10. Until action is taken by the Surplus Property Board under section 33 (a) of the act, whenever property which was originally produced in the United States, and which is readily identifiable as such, is disposed of under this temporary regulation, the terms of disposition shall include a condition that the property will not be reimported into the United States in the same or substantially the same form; *Provided, however* That such a condition need not be imposed in any case (1) where the purchaser certifies to the disposal agency that the property is being purchased (a) for consignment to the original producer or a person controlled by or acting for the original producer, or (b) for consignment to some other person or firm in the United States for the purpose of reconditioning for re-export, or (2) where the property is sold to a member of the armed forces abroad who certifies to the disposal agency that he is purchasing the property for the purpose of bringing it into the United States for his personal use.

SEC. 11. Foreign dispositions shall be by the methods best fitted to the circumstances of each transaction. In order that foreign disposal operations shall be consistent with foreign policies of the United States, the disposal agencies shall maintain close contact and cooperation with United States diplomatic missions abroad. Within this principle, the basic rule in the selection of purchasers and the method of disposition should be to obtain the highest net return. Dispositions to others than foreign governments or their agents should usually be made by competitive bidding. Where competitive bidding is not used, care must be taken to see that the valuations and other supporting facts and circumstances are recorded. Full records of all transactions shall be kept.

SEC. 12. Reports shall be made to the Surplus Property Board of property declared surplus, held, and disposed of outside of the continental United States, its territories and possessions, pursuant to this temporary regulation, at such times and in such form as may be prescribed by the Board by orders issued hereunder.

SURPLUS PROPERTY BOARD,
HELEN SULLIVAN,
Secretary.

FEBRUARY 15, 1945.

Approved and concurred in: February 16, 1945.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 45-2834; Filed, Feb. 20, 1945; 11:45 a. m.]

[Temporary Reg. A, Order 1]

FOREIGN DISPOSAL

APPROVAL OF DELEGATION OF AUTHORITY

1. In accordance with section 5 of Temporary Regulation A (*supra*) the approval of the Surplus Property Board is hereby given to the delegation by the War Department and Navy Department of their authority and responsibility for the disposal of their surpluses under Temporary Regulation A to the Office of Army-Navy Liquidation Commissioner, established by joint letter dated December 28, 1944, from those Departments to the Director of War Mobilization and Reconversion.

2. The foregoing approval does not extend to those provisions of the joint letter which vest in the Liquidation Commissioner certain powers with respect to the settlement of claims in foreign countries in coordination with the disposal of surplus property. The Board has no authority to settle claims. It cannot therefore authorize the settlement of foreign claims against the transfer of surplus property, nor can it authorize the acquisition of privileges or concessions in foreign countries in exchange for surplus property. Any such transactions are beyond the jurisdiction of the Board, and the authority to carry them out must come from some other source. In foreign disposal the Board is chiefly concerned that the highest net return be obtained, as provided in section 11 of Temporary Regulation A. Any Government agency which has the authority from Congress and the necessary appropriations to settle claims in foreign countries

or to acquire privileges and concessions in foreign countries and which wishes to use surplus property in carrying out any lawful transaction of the kinds described above, shall pay from such appropriations into the miscellaneous receipts of the Treasury (by reduction of an existing appropriation or otherwise) an amount which, in the opinion of the disposal agency represents the fair value of the surplus property or the best price obtainable for the surplus property.

SURPLUS PROPERTY BOARD,
HELEN SULLIVAN,
Secretary.

FEBRUARY 15, 1945.

[F. R. Doc. 45-2835; Filed, Feb. 20, 1945;
11:45 a. m.]

WAR PRODUCTION BOARD.

[Certificate 3, Revocation]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I hereby withdraw the certificate and finding dated July 1, 1942, (7 F.R. 5149), concerning Recommendation No. 53 of the Petroleum Coordinator for War.

J. A. KRUG,
Chairman.

FEBRUARY 16, 1945.

[F. R. Doc. 45-2794; Filed, Feb. 20, 1945;
11:05 a. m.]

[Certificate 14, Revocation]

PETROLEUM IN NEW YORK CITY AREA

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I hereby withdraw the certificate and finding dated September 19, 1942 (7 F.R. 7548) concerning a plan for an alternative storage and distribution system to maintain the supply of petroleum and petroleum products in the metropolitan New York City area in the event of an emergency.

J. A. KRUG,
Chairman.

FEBRUARY 16, 1945.

[F. R. Doc. 45-2795; Filed, Feb. 20, 1945;
11:05 a. m.]

[Certificate 120, Revocation]

CERTAIN CARRIERS BETWEEN LITTLE ROCK AND GATEWAY, ARK.

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) I hereby withdraw the certificate and finding dated August 30, 1943 (8 F.R. 12119) concerning Supplementary Order ODT 3, Revised-55, issued by the Director of the Office of Defense Transportation.

J. A. KRUG,
Chairman.

FEBRUARY 16, 1945.

[F. R. Doc. 45-2796; Filed, Feb. 20, 1945;
11:05 a. m.]

